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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter IX—Food Distribution Administration

##### PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA

###### ORDER SUSPENDING CERTAIN PROVISIONS

Order suspending certain provisions of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area.

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, it is hereby determined that the provision of such order which provides seasonal minimum prices for Class I milk during the months of April, May, and June 1943, is a provision which obstructs and does not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is therefore ordered, That, effective as of the date of execution hereof, the following provisions of § 930.5 (a) (1) of the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, are hereby suspended:

\* \* \* during the delivery period of June 1942; and thereafter add the following amount per hundredweight:

	Amount (dollars per hundredweight)
Delivery period:	
July through March	0.90
April, May, and June	.80

Done at Washington, D. C., this 31st day of March 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL]      CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 43-5042; Filed, April 1, 1943; 11:30 a. m.]

#### Chapter XI—Food Distribution Administration

[FDO 19-1, Am. 1]

##### PART 1455—SPICES

###### RESTRICTED SPICES QUOTAS

Pursuant to the authority vested in me by Food Distribution Order No. 19 (8 F.R. 1827), issued by the Secretary of Agriculture of the United States on February 8, 1943, under the authority of Executive Order No. 9280, dated December 5, 1942, and in order to effectuate the purposes of such orders, *It is hereby ordered*, That Director Food Distribution Order No. 19-1 (8 F.R. 1829) be, and the same hereby is, amended to read as follows:

§ 1455.2 Quotas for restricted spices.  
(a) For the quarterly period of three months beginning on April 1, 1943, and for each subsequent quarterly period of three months, the quota of any restricted spice, as listed hereinafter, for any packer, any receiver, or any industrial user shall be the following percentage of the amount of such spice delivered by such person (if a packer), accepted by such person (if a receiver), or used by such person (if an industrial user) during the corresponding quarterly period of 1941 or during such other base period as is provided for in § 1455.1 (b) (5) of Food Distribution Order No. 19:

Restricted spice:	Quota percentage
Black pepper	45
Cassia (cinnamon)	30
Cloves	90
Ginger	100
Mace	40
Nutmeg	60
Pimento (allspice)	75
White pepper	45

(b) Any packer may, in lieu of a quota computed pursuant to (a) hereof, avail himself of a quota of a total of one hundred pounds of any restricted spice or any combination of restricted spices.

(c) This order shall take effect at 12:01 a. m., e. w. t., April 1, 1943. With respect to any violation of Director Food Distribution Order No. 19-1 prior to the effective time of this amendment, Director Food Distribution Order No. 19-1

(Continued on p. 4147)

## CONTENTS

### REGULATIONS AND NOTICES

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Badische Anilin and Soda	
Fabrik and I. G. Farben-	4216
industrie, A. G.	
Bugatti, Ettore	4213
Citizens and residents of en-	
emy countries	4204
Citizens and residents of en-	
emy-occupied countries	4203
Citizens of allied or neutral	
countries or U. S. resid-	
ing in enemy-occupied	
countries	4208
Citizens of enemy countries	
residing in enemy-occu-	
pied countries	4204
Citizens of neutral countries	
or U. S. and residents of	
enemy countries	4207
Foreign nationals, certain	4209
French citizens and residents	4205
Galvanocor, A. G.	4214
German Corporation	4207
German-owned motion pic-	
ture films in U. S.	4211
Goldschmidt, Victor Mortiz	4215
I. G. Farbenindustrie, A. G.	
(2 documents)	4214, 4215
Imhoff, Karl	4213
Japanese Ass'n, Inc.	4202
Kaisha, Furukawa Denki-	
gyo Kabushiki	4214
Meiwald, Franz, and Siemens	
and Halske, A. G.	4216
Muelhens, Peter	4217
Ow-Echingen, Max	4203
Renner, Oskar, Jr.	4211
Schwartz, Rose	4202
Swiss citizens residing in	
France	4206
Tavasci, Gaudenzio Eusebio	4217
Teuber, Charlotte Cox	4202
Weisse, Ernst	4217
Zeiss, Carl	4208
BITUMINOUS COAL DIVISION:	
Hearings, etc.:	
District Board 2	4198
Indiana Coals Corp.	4198
Techumseh Coal Corp.	4198

(Continued on p. 4146)





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#### CONTENTS—Continued

	Page
<b>BITUMINOUS COAL DIVISION—Con.</b>	
Minimum price schedules amended:	
Districts 1, 2 and 8.....	4156
District 8.....	4159
<b>COAST GUARD:</b>	
Approval of equipment; miscellaneous amendments.....	4194
U. S. Coast Guard Auxiliary regulations; miscellaneous amendments.....	4192
<b>FEDERAL TRADE COMMISSION:</b>	
Cease and desist orders:	
Karastan Rug Mills.....	4153
Westville Refinery, Inc.....	4152
Hearings, etc.:	
Carlay Co., et al.....	4201
Reynolds, R. J., Tobacco Co.....	4201
<b>FOOD DISTRIBUTION ADMINISTRATION:</b>	
Cocanut, babassu, palm kernal, etc., oils (FDO 43).....	4150
Delegations of authority to perform certain functions:	
Burrows, Robert and John E. Jacobsen.....	4200
Waterbury, E. S.....	4199
Fats and oils (FDO 42).....	4147
Meat restriction:	
Amendments.....	4151
Transfer of administration from Office of Price Administration.....	4151
Spices (FDO 19-1, Am. 1).....	4145
Toledo, Ohio marketing area; handling of milk.....	4145

#### CONTENTS—Continued

	Page
<b>GENERAL LAND OFFICE:</b>	
Stock driveway withdrawal, Wyo.....	4199
<b>INDIAN AFFAIRS:</b>	
Irrigation projects, operation and maintenance charges:	
Ganado project, Ariz.....	4154
Hogback project, New Mex.....	4154
Mission miscellaneous irrigation units, Calif.....	4153
Pala project, Calif.....	4155
Rincon project, Calif.....	4155
<b>MINES BUREAU:</b>	
Revocations of explosives licenses:	
Johns Bros.....	4198
Sandefur, W. A., Mercantile Co.....	4199
<b>OFFICE OF DEFENSE TRANSPORTATION:</b>	
Traffic movement direction, etc.; coal transportation between U. S. Atlantic Ocean ports.....	4196
<b>OFFICE OF PRICE ADMINISTRATION:</b>	
Adjustments, exceptions, suspension orders:	
Broad Brook Co.....	4218
Chemung Foundry Corp.....	4220
Cohen, Joseph H., and Sons, Vanity Clothes, Inc.....	4219
Commercial Molasses Corp.....	4218
Green Valley Food Products, Inc.....	4218
Hickory picker stick blanks; North and South Carolina producers.....	4190
High Duty Bronze and Aluminum, Inc.....	4218
Jones Country Veal.....	4218
Kellogg, Spencer, and Sons, Inc.....	4220
Oswald, H. C., Supply Co.....	4191
Ray-O-Vac Co.....	4221
River Mills, Inc.....	4219
Schurr, Earl H.....	4218
Universal Metal and Smelting Corp.....	4218
Arsenical insecticides (Rev. MPR 315).....	4187
Coke, beehive oven furnace, produced in Pennsylvania (RPS 77, Am. 6).....	4180
Containers, etc.; licensing sellers (Supp. Order 39, Am. 2).....	4178
Egg cases and component parts, used (MPR 117, Am. 5).....	4189
Food commodities (Restriction Order 4, Am. 1).....	4190
Food products, certain packed (MPR 306, Am. 5).....	4179
Food rationing; Virgin Islands (RO 10, Am. 9).....	4190
Fuels, solid, miscellaneous, etc. (MPR 121, Am. 12).....	4179
Gasoline rationing (RO 5C, Am. 37).....	4189
Laundry services; Buffalo area (MPR 165, Am. 1 to Supp. Service Reg. 13).....	4191
Meat and meat products, etc.; transportation (SR 14, Am. 154).....	4191
Meat restriction, transfer of administration to Agriculture Department (Restriction Order 1).....	4221

#### CONTENTS—Continued

	Page
<b>OFFICE OF PRICE ADMINISTRATION—Continued.</b>	
Paperboard:	
Certain products (MPR 187, Am. 3).....	4180
Sales east of the Rocky Mts. (RPS 32, Am. 4).....	4187
Papers, Kraft wrapping and bag (MPR 182, Am. 6).....	4180
Printing and printed paper commodities (MPR 225).....	4181
Regional office order, Region I: Residual oil shortage (Emergency Order 5, Am. 5).....	4221
Tires, tubes, recapping and camelback; rationing: (RO 1A, Am. 20).....	4179
(RO 1A, Am. 21).....	4179
<b>PUBLIC CONTRACTS DIVISION:</b>	
Stipulation of conditions in Government purchase contracts; records of injury frequency rates.....	4194
<b>RURAL ELECTRIFICATION ADMINISTRATION:</b>	
Allocations of funds for loans; miscellaneous amendments.....	4200
<b>SECURITIES AND EXCHANGE COMMISSION:</b>	
Hearings, etc.:	
Indiana Hydro-Electric Power Co., et al.....	4223
International Utilities Corp.....	4222
Panhandle Eastern Pipe Line Co., et al.....	4223
Railway and Bus Associates.....	4221
Rochester Transit Corp.....	4222
Standard Gas and Electric Co. (Corr.).....	4221
West Texas Utilities Co. and Middle West Corp.....	4222
<b>TREASURY DEPARTMENT:</b>	
2¾ percent debentures; call for redemption before maturity:	
Housing insurance fund.....	4197
Mutual mortgage insurance fund.....	4196
<b>WAGE AND HOUR DIVISION:</b>	
Cottonseed and peanut crushing industry; committee appointment.....	4201
Learner employment certificates; issuance to various industries.....	4200
Sheppton Sportswear Co.; cancellation and affirmation.....	4201
<b>WAR COMMUNICATIONS BOARD:</b>	
Telegraph messages essential to war effort or public safety; precedence.....	4181
<b>WAR PRODUCTION BOARD:</b>	
Barbed wire, wire fence, etc. (L-211, Schedule 3).....	4162
Burlap and burlap products (M-47).....	4166
Calcium metal (M-303).....	4172
Communications:	
(L-148).....	4172
(P-130).....	4172
(P-132).....	4172
(U-3).....	4173
(U-4).....	4176
(U-5).....	4176



## CONTENTS—Continued

WAR PRODUCTION BOARD—Con.	Page
Controlled materials plan (CMP Reg. 1, Direction 1).....	4164
Communications (CMP Reg. 2, Dir. 1).....	4172
Incandescent, fluorescent, etc., lamps (L-28-a, Amendment 1).....	4172
Iron and steel (M-21).....	4169
Iron and steel:	
Merchant trade products warehouses and dealers (M-21-b-2).....	4170
Warehouses and dealers (M-21-b).....	4170
Knit underwear (L-247).....	4163
Lighting fixtures, incandescent (L-212).....	4164
Manila fiber and cordage (M-36).....	4160
Motor trucks, truck trailers and passenger carriers (L-1-h, Am. 1).....	4168
Production requirements plan, second quarter, 1943 (PR 11A).....	4168
Stop construction order.....	4223
Utilities materials; victory gardens (U-1-e).....	4173

shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 19, 8 F.R. 1827.)

Issued this 31st day of March 1943.

[SEAL] ROY F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 43-4956; Filed, March 31, 1943; 11:49 a. m.]

[FDO 42]

## PART 1460—FATS AND OILS

## RESTRICTIONS ON USE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of fats and oils to meet war and essential civilian needs, *It is hereby ordered*, As follows:

1460.1 *Use of fats and oils.* (a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "fats and oils" means all the raw, crude, refined, and pressed fats and oils, whether vegetable, animal, fish, or other marine animal, their by-products and derivatives, including grease (lard) oil, sulfonated and similarly processed fats and oils, fatty acids, and lard and rendered pork fat, but not including cocoa butter, butter, wool greases, essential oils, tall oil, mineral oils, and vitamin-bearing oils derived from fish or other marine animal livers or viscera.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "manufacturer" means any person who uses any fats or oils in

the manufacture of any finished product, and shall include all other persons directly controlling or controlled by such person and all persons under direct or indirect common control with such person. The term shall not include any crusher, renderer, refiner, or other processor except as and to the extent that his operations result in the production of a finished product, and shall also not include any person who uses fats and oils in the home in the preparation of food for household consumption. Blending alone shall not constitute a person a manufacturer.

(4) The "inventory" of a manufacturer at any time shall include all fats and oils held or controlled by him and all fats and oils purchased by him for future delivery.

(5) The term "finished product" means any product of a manufacturer produced for sale as his finished product and carried on his books as his finished product. Other than for the purposes of paragraph (d) hereof, "finished product" shall not include:

(i) grease (lard) oil; (ii) sulphonated or similarly processed fat or oil; (iii) fatty acids; (iv) lard or rendered pork fat; (v) any fat or oil product intended for sale to another manufacturer for further processing in the manufacture of, or for inclusion in, any product (excepting a product falling within paragraph (a) (5) (vi) hereof); (vi) any edible product of which a fat or oil is not the principal ingredient; (vii) any edible product produced by any hotel or restaurant for consumption on the premises; (viii) any medicinal preparation, including vitamin preparations, other than medicated soap; (ix) olive oil; or (x) poultry fat.

(6) The term "crusher" means any person who presses, expels, or extracts oils from any seed, bean, nut, or corn or other oil-bearing materials.

(7) The term "principal ingredient" as used in paragraph (a) (5) (vi) hereof means the largest single ingredient by weight, subject to the qualification that mayonnaise and salad dressing are to be considered products of which a fat or oil is not the principal ingredient regardless of the fat or oil composition thereof in the particular case.

(8) The term "soap" means the product commonly known by that term, including all types of shaving soap and cream, excluding, however, soap used for non-detergent purposes (including the processing of textiles).

(9) The term "base period use" means the average use during the corresponding calendar quarter of the years 1940 and 1941.

(10) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Restrictions on manufacture.*

(1) No manufacturer, except as provided in paragraph (b) (5) hereof, shall in any calendar quarter use or consume any fat or oil in any class of use listed in Schedule A annexed hereto in a quantity in excess of the percentage

specified in such Schedule A of his average quarterly use or consumption of fats and oils in such class of use during the corresponding calendar quarters of the two years, 1940 and 1941.

(2) If any manufacturer does not, in any calendar quarter, use or consume the quantity of fat or oil permitted by paragraph (b) (1) hereof, the unused part of his quota for such quarter shall, for the purposes of such paragraph (b) (1), be carried forward and added to his permitted quota for the succeeding quarters: *Provided, however*, That any unused part of his permitted quota for any prior quarter shall not be carried forward beyond June 30, 1943, and beyond the 30th day of June of each year thereafter.

(3) For the purpose of determining the quantity of raw "foods" which may be used or consumed, use or consumption shall be calculated on the basis of total fatty acid content.

(4) The restrictions on the use or consumption of fats and oils imposed hereby are imposed with respect to the use or consumption of fats and oils in the aggregate, and such restrictions are not to be construed to limit a manufacturer to the use or consumption of the same fat or oil used or consumed by him in the base period.

(5) Nothing in paragraph (b) (1) hereof shall restrict:

(i) The use or consumption of fats and oils in any calendar quarter by any manufacturer whose aggregate use or consumption of fats and oils in such period is less than 6,000 lbs.

(ii) The use of fats and oils in the manufacture of any edible product or soap delivered or to be delivered to:

(a) the Army of the United States (including post exchanges outside the continental United States);

(b) the Navy of the United States (including the Coast Guard and Marine Corps, and including ships' service stores outside the continental United States);

(c) the War Shipping Administration;

(d) the Panama Railroad Company;

(e) any agency of the United States for delivery to or for the account of the government of a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(f) the Food Distribution Administration for export, or for shipment to any territory or possession of the United States;

(g) any wholesaler or jobber for delivery to any of the persons or agencies named in this paragraph (b) (5) (ii) hereof;

(h) any person, feeding, under contract (directly or indirectly), personnel of the Army, Navy, Marine Corps, or Coast Guard, for use in the preparation of meals for such personnel;

(i) any person using an edible product in the preparation of meals to be served on vessels operated under the War Shipping Administration; or

(j) another manufacturer for use in the manufacture of any edible product to be delivered to any of the persons or agencies named in this paragraph (b) (5) (ii) hereof.



Deliveries to the persons named in paragraphs (b) (5) (ii) (g), (h), (i), and (j) hereof shall be non-quota only if supported by a certificate issued to the person having the prime contract with the agencies named in paragraphs (b) (5) (ii) (a), (b), (c), (d), (e), and (f) hereof. This certificate shall be issued by the Quartermaster General of the Army, the Chief of the Bureau of Supplies and Accounts or the Chief of the Bureau of Naval Personnel of the Navy, the Commandant of the United States Coast Guard, the Quartermaster of the United States Marines, the Administrator of the War Shipping Administration, the Vice President of the Panama Railroad Company, the Director, or the duly authorized representative of any of them. It shall specify the name of the manufacturer supplying such fats and oils or soap, and shall state that the final products are for direct Army, Navy, Coast Guard, or Marine Corps issue or for sale in post exchanges or ships' service stores outside the continental United States, for contract feeding of Army, Navy, Coast Guard, or Marine Corps personnel, for consumption on ships operated under the War Shipping Administration, for consumption in the Panama Canal Zone, for export or shipment to any territory or possession of the United States, or for delivery pursuant to such Lend-Lease Act; and that the delivery or manufacture of such products will require a stated quantity of fats and oils or soap. The prime contractor shall furnish copies of such certificate, certified by him to be true and correct, to the persons from whom he obtains such products, and such certified copies shall be transmitted through trade channels to the manufacturer named thereon.

(iii) The use of fats and oils in the manufacture of all protective coatings, coated fabrics, linoleum, oilcloth, and felt base floor coverings, delivered or to be delivered to, or used on or incorporated in material and equipment delivered or to be delivered to, the Army, Navy, Marine Corps, or Coast Guard of the United States, to the United States Maritime Commission, or to the United States War Shipping Administration, or delivered pursuant to the Act of March 11, 1941 (Lend-Lease Act), and for the military, naval, and maritime requirements of the United Nations: *Provided, however*, That any manufacturer claiming exemption under this paragraph (b) (5) (iii) hereof shall file War Production Board Form PD-600, or such other form or forms that may be prescribed by the Director, and receive authorization for such exemption from the Director. Forms may be obtained at local field offices of the War Production Board or the Food Distribution Administration of the United States Department of Agriculture. Five copies shall be prepared, four of which shall be forwarded to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref. FD 42; the fifth to be retained in the manufac-

turer's files. For the purpose of this order, if War Production Board Form PD-600 is used, it shall be completed in the manner prescribed therein, subject to the following special instructions:

(a) Under the heading Table 1, change to "Application for exemption", instead of "Application for delivery and/or use required for your next month's operations".

(b) In the heading, under "Name of chemical", specify linseed oil, sardine oil, or other kind of fatty oil or fatty acid required; under "WPB order No." specify FD 42; under "Name of company", state name; under "Mailing address", state mailing address; under "Delivery destination", leave blank; under "Supplier with whom this order is placed", leave blank; under "Shipping point", leave blank; under "Unit of measure", state pounds.

(c) Under column 1, specify grade required, for example: boiled linseed oil, soyabean oil, herring oil, fatty acid, dehydrated castor oil.

(d) Under column 2, specify the quantity for each kind or grade of fatty oil required and the end use for which the finished coating or material is to be used.

(e) Under column 3, specify paint, varnish, lacquer, enamel, oilcloth, synthetic resin (specify type).

(f) Under column 4, specify ultimate use of product (for example, airplane, warship, rifle, merchantship, anti-aircraft gun, military trucks).

(g) Under column 9, specify contract number and award date.

(h) Under column 10, specify procurement agency, such as Signal Corps, United States Army, Signal Corps, United States Marine Corps, Naval Bureau of Ordnance, Quartermaster General of the Army, Food Distribution Administration.

(i) In table 2 under column 11, list each grade of each type of fatty oil or fatty acid.

(j) Column 13, fill in.

(k) Column 14, show the quantity of each grade for which exemption is claimed.

(l) Column 15, show quantity of each grade on hand at the end of the month preceding date of filing.

(m) Columns 15-a, 15-b, 15-c, leave blank.

(n) Column 16, state quantity of each grade used applying against your quota.

(o) In table 3, under column 17, each applicant on his first request for exemption shall state his allowable quota on the basis of 70 percent of the base period use for the first calendar quarter of 1943, and the allowable quota for the second quarter of 1943 (April 1 to June 30) on the basis of an allowed quota of 50 percent of the base period use.

(iv) The use of fats and oils in the manufacture of products to be exported (a) to the Dominion of Canada where such Dominion has granted a license for the import of such products, or (b) to any other country pursuant to any ex-

port license issued by the Board of Economic Warfare.

(6) For the purposes of determining a manufacturer's permissible use or consumption under paragraph (b) (1) hereof there shall be excluded from the calendar quarter during which use or consumption is hereby limited, any fat or oil used in the manufacture of the products referred to in paragraph (b) (5) (ii), (iii), and (iv) hereof, and there shall be excluded from the base period use any fat or oil used by such manufacturer in such base period in the manufacture of any product delivered by him to the Army or Navy of the United States or delivered by him, as a prime contractor, pursuant to the Lend-Lease Act, or exported to the Dominion of Canada or to any other country, or shipped to any territory or possession of the United States except Hawaii, either directly or through wholesalers or jobbers.

(7) A person who acquires all the manufacturing facilities of another person in a particular class of use shall thereby become entitled to the quota of such other person in such class of use, whether or not he continues to operate such facilities in whole or in part: *Provided, however*, That he shall within 30 days following such acquisition inform the Director of the facilities acquired, their location, whether or not operation will be continued in the same or another location, and the amount of quota which he claims to have acquired in each class of use.

(8) Fats and oils processed by a person pursuant to toll agreement shall be chargeable, not to the quota of the processor, but to the quota of the owner of such fats and oils: *Provided, however*, That title to the product shall remain in the hands of the owner of the fats and oils and that such owner shall market, invoice, and collect for such product through his own organization.

(9) Each manufacturer of soap may, in any calendar quarter, substitute, in whole or in part, for the fats and oils (other than foots made from domestic vegetable oils or the fatty acids made from such foots) which he would be entitled to use under Schedule A in such manufacture, foots made from domestic vegetable oils or the fatty acids made from such foots. The quantity of such foots or their fatty acids which may be used or consumed shall be 100 percent of the base period use of fats and oils.

(c) *Restrictions on deliveries of linseed oil.* (1) No person selling linseed oil (whether crushed or processed by him or purchased for resale) shall deliver in the aggregate to persons other than manufacturers during any calendar quarter more linseed oil (whether raw or processed) than 50 percent of the average quarterly amount of linseed oil so delivered by him during the corresponding calendar quarters of the two years, 1940 and 1941.

(2) In reducing deliveries pursuant to paragraph (c) (1) hereof, no person shall make discriminatory cuts as between customers, whether new or old.



(3) This order shall not restrict the delivery by any person of linseed oil to the Army, Navy, Marine Corps, or Coast Guard of the United States, to the United States Maritime Commission, or pursuant to the Act of March 11, 1941 (Lend-Lease Act), and any amount so delivered by him shall be excluded both from the base period use on which his quota is based and from the period or quarter during which future deliveries are hereby limited.

(d) *Restrictions on processing and inventories.* (1) No person shall accept delivery of fats and oils for his raw material inventory if the fats and oils in his raw material inventory are, or would through such acceptance become, in excess of a practicable working minimum inventory. This paragraph (d) (1) does not, however, restrict the inventories of any fat or oil in the form in which it is first produced by the crusher or renderer of any vegetable oil foods or their fatty acids.

(2) No manufacturer shall hereafter change the condition of any fat or oil in his raw materials inventory, or add any additional materials thereto, except to the extent necessary to store any such fat or oil in his raw materials inventory in a form necessary to prevent deterioration thereof, or except to put such fats or oils into process for the manufacture of his products subject to the limitations of paragraph (d) (3).

(3) No manufacturer shall hereafter increase the rate at which fats and oils are put into process by him, except to the extent necessary to meet the required deliveries of his finished products within the limitations established by this order and to maintain only a practicable minimum working inventory of such finished products. The term "practicable minimum working inventory" as used in paragraph (d) (1) and (3), shall be strictly construed. The mere fact that the turn-over has increased, or that materials are difficult to obtain, does not justify maintaining inventories above the minimum at which his operations can be continued.

(e) *Prohibited uses of fats and oils.*

(1) No person shall use or consume any butter or any of the following fats and oils in any class of use listed in Schedule A other than the manufacture of margarine or the manufacture of other edible finished products:

Lard  
Rendered pork fat  
Oleo oil  
Oleo stearin  
Oleo stock  
Edible tallow  
Edible olive oil  
Peanut oil  
Sunflower oil  
Sesame seed oil  
Raisin seed oil  
Tomato seed oil  
Cottonseed oil  
Corn oil  
Soyabean oil  
Whale oil (excluding sperm)

(2) No person shall use or consume, in the manufacture of soap, any sardine oil, pilchard oil, or herring oil.

(3) Nothing in paragraphs (e) (1) or (e) (2) hereof shall restrict the use of any fat or oil in any inedible product or soap where and to the extent that:

(i) the quantity of any such fat or oil owned by such person on December 31, 1942, is less than 60,000 lbs.;

(ii) any such fat or oil is used in the manufacture, preparation, or finishing of protective coatings and coated fabrics under the provisions of paragraph (b)

(5) (ii) hereof, or in the manufacture of USP XII soap for medicinal use; or soft soap, hospital grade, according to United States Army specifications No. 4-1027A (February 5, 1941) for delivery to the United States Army;

(iii) any such fat or oil is a by-product or residue (except stearin) of the permitted processing of any fat or oil; or consists of tank bottoms of any fat or oil;

(iv) such fat or oil consists of soyabean oil and is used either in the manufacture of synthetic resins or as a plasticizer in the manufacture of lacquers and coated fabrics, exclusive of linoleum and oil cloth; or

(v) the use by any person of any such fat or oil in any class of use which has been specifically authorized by the Director, on such person's establishing to the satisfaction of the Director by letter addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 42, that such fat or oil was owned by him on December 31, 1942, and was on such date unfit for edible use.

(f) *Existing contracts.* The restrictions of this order concerning delivery, acceptance, use, processing, and consumption of fats and oils shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Records and reports.* (1) Each manufacturer, who in any calendar quarter uses or consumes more than 6,000 lbs. of fats and oils in the aggregate, shall file with the Bureau of Census, Washington, D. C., each of the following reports in the following manner.

(i) He shall file on or before the 20th day of each month Bureau of Census Form BM 1, or such other form or forms as may be prescribed by the Director, showing the consumption of fats and oils during the preceding month; and

(ii) He shall file on or before the 20th day of the second month of the succeeding quarter, Bureau of Census Form BM 2, or such other form or forms as may be prescribed by the Director, showing the consumption of fats and oils during the preceding quarter.

(2) Every manufacturer and every other person subject to this order shall maintain such records for at least two years (or for such other period of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(h) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(j) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref.: FD 42.

(l) *Effect of other orders.* Insofar as any other order of the Secretary of Agriculture or the Director, heretofore or hereafter issued, limits or curtails to a greater extent than herein provided the use, acquisition, or disposition of any fat or oil, the limitations of such other order shall control.

(m) *General Preference Order M-71 superseded.* This order supersedes in all respects General Preference Order M-71<sup>1</sup> of the War Production Board except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof said General Preference Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said General Preference Order shall be considered under paragraph (i) hereof.

(n) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

<sup>1</sup> 8 F.R. 315.



(c) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(p) *Effective date.* This order shall be effective on April 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 31st day of March 1943.

[SEAL]

CLAUDE R. WICKARD,  
Secretary of Agriculture.

#### SCHEDULE A

Class of use:	Permitted percentage
Manufacture of margarine.....	180
Manufacture of other edible finished products, including shortening.....	88
Manufacture of soap, exclusive of soap made from domestic vegetable oil foots or the fatty acids from such foots.....	84
Manufacture of soap from foots made from domestic vegetable oils or the fatty acids from such foots.....	100
Manufacture of paints, varnishes, lacquers and all other protective coatings, except water paints.....	50
Manufacture of water paints (on the basis of one pound of oil for each gallon of paste water paint manufactured during the base period and one pound of oil for each eight pounds of dry casein or dry protein paint manufactured during the base period).....	50
Manufacture of linoleum, oilcloth, and felt base floor coverings.....	50
Manufacture of oilcloth (for all purposes other than floor coverings) and all other coated fabrics.....	50
Manufacture of printing inks, including lithographing, offset, silk screen, and other processing inks.....	90

[F. R. Doc. 43-4990; Filed, March 31, 1943; 4:17 p. m.]

[FDO 43]

#### PART 1460—FATS AND OILS

RESTRICTIONS ON USE, PROCESSING, SALE, AND DELIVERY OF COCOANUT, BABASSU, PALM KERNEL, AND OTHER HIGH LAURIC ACID OILS

Pursuant to authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of cocoanut, babassu, palm kernel, and other high lauric acid oils to meet war and essential civilian needs, *It is hereby ordered, As follows:*

§ 1460.10 *Use, processing, sale, and delivery of cocoanut, babassu, palm kernel, and other high lauric acid oils restricted—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "high lauric acid oils" means cocoanut oil, babassu oil, palm kernel oil, and all other oils having a

lauric acid content of thirty-five percent (35%) or higher, whether crude, refined, bleached, or deodorized.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Prohibited uses.* The use or consumption by any person of high lauric acid oils in the following manufactures, processes, or uses is prohibited:

(1) Any manufacture, process, or use in which glycerine is not produced;

(2) Any manufacture or process in which glycerine is produced, where the recovery of glycerine does not meet the requirements of Food Distribution Order No. 33. (8 F. R. 3475)

(c) *Permitted uses.* (1) Any person may use or consume high lauric acid oils without regard to the restrictions imposed by paragraphs (b) (1) and (b) (2) hereof, in the following instances:

(i) Where the total use or consumption of high lauric acid oils by any person is less than 3,000 pounds in each of the several three month periods of the year commencing January 1, April 1, July 1, and October 1; or

(ii) Where any person uses or consumes Tucum and Muru-muru oils in the manufacture of any edible product, without limitation on such use or consumption: *Provided*, That such use or consumption shall be subject to the provisions of paragraph (f) hereof.

(2) Notwithstanding the provisions of paragraphs (c) (1) (i) and (ii) hereof, no person shall use or consume high lauric acid oils in the manufacture of any margarine, shortening, or cooking fats.

(d) *Reports of unusable oils.* Any high lauric acid oils at any time remaining in the hands of any person which, by reason of any of the provisions of paragraphs (b) (1) and (2) and (c) (1) (i), (ii) and (2) hereof, may not be used or consumed by him, shall be reported to the Director.

(e) *Restrictions on processing.* After the effective date of this order, no person shall process or change the condition of any high lauric acid oils in preparation for any manufacture or use permitted by this order, except to the extent necessary for such preparation, and then only in such quantities as may be necessary to meet his normal production schedule or, if such oils are to be manufactured or used by another person, then the normal production schedule of such other person.

(f) *Withholdings of high lauric acid oils.* Every person who was required by General Preference Order M-60 (7 F.R. 2185) of the War Production Board to set aside an inventory quota shall use, put in process, sell, or deliver, all or any part of such inventory quota only upon express instruction of the Director: *Provided*, That this paragraph (f) shall not

be construed to prevent crushing of copra or other seeds or nuts, or to prevent changing the condition of such oil so set aside to the extent necessary to prevent deterioration while carried in inventory. Such quota shall be held subject to the direction of the Director.

(g) *Restrictions on sales and deliveries.* No person shall sell or, directly or indirectly, deliver, or cause to be delivered, any high lauric acid oils for any use prohibited by paragraphs (b) (1) and (2), and (c) (1) (i), (ii) and (2) hereof or in violation of paragraph (f) hereof; and no person shall accept deliveries of any high lauric acid oils for any prohibited use or for any greater quantities or proportions than permitted for consumption.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise owned or controlled by the same person.

(i) *Existing contracts.* The restrictions of this order concerning the use, processing, sale, and delivery of high lauric acid oils shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(j) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(k) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(l) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections of his stocks of cocoanut, babassu, palm kernel, and other high lauric acid oils, and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(m) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.



(n) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(o) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 43.

(p) *General Preference Order M-60 of the War Production Board superseded.* This order supersedes in all respects General Preference Order M-60 (7 F.R. 2185) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order M-60 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said order shall be considered under paragraph (m) hereof.

(q) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(r) *Effective date.* This order shall be effective on April 1, 1943, as of 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 31st day of March 1943.

[SEAL] CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 43-4991; Filed, March 31, 1943;  
4:17 p. m.]

#### MEAT RESTRICTION ORDER<sup>1</sup>

##### TRANSFER OF ADMINISTRATION TO DEPARTMENT OF AGRICULTURE

Pursuant to the provisions of Executive Order No. 9024, dated January 16, 1942 (7 F.R. 329), Executive Order No. 9040, dated January 24, 1942 (7 F.R. 527), Executive Order No. 9280, dated December 5, 1942 (7 F.R. 10179), Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), Directive No. 1 (7 F.R. 562) and Supplemental Directive No. 1-M (7 F.R. 7234) of the War Production Board, and Directives 3 (8 F.R. 2005) and 7 (8

<sup>1</sup> 7 F.R. 7839.

F.R. 3471) issued by the Secretary of Agriculture, and in order to facilitate the effective regulation and control over meat, *It is hereby ordered*, As follows:

(a) The functions of administering and enforcing the provisions of Restriction Order 1, as amended, issued by the Office of Price Administration, are transferred as of April 1, 1943, from the Office of Price Administration to the United States Department of Agriculture. Notwithstanding the transfer of the administration and enforcement thereof, Restriction Order 1, as amended, is continued in full force and effect.

(b) No provision of this order shall affect any suit, action, prosecution, penalty, or administrative or other proceeding, regardless of when commenced, or any judgment, order, decree, or verdict, regardless of when made, entered, or returned, with respect to any violation committed or liability incurred under or pursuant to the terms of Restriction Order 1, as originally issued or subsequently amended, prior to April 1, 1943.

(c) Restriction Order 1, as amended, issued by the Office of Price Administration, and all actions heretofore taken by the Office of Price Administration pursuant to such order (including, without limitation, all adjustments and exceptions granted) are hereby ratified, affirmed, and adopted, the same as if they were specifically set forth herein, and are hereby continued in full force and effect until they expire by their terms or are revoked or amended by appropriate authority within the United States Department of Agriculture, and any condition imposed or any requirement that any act be done pursuant to such order shall also remain in full force and effect.

This order shall become effective April 1, 1943.

Issued this 31st day of March 1943.

[SEAL] CLAUDE R. WICKARD,  
Secretary of Agriculture.

PRENTISS M. BROWN,  
Administrator, Office of  
Price Administration.

[F. R. Doc. 43-4972; Filed, March 31, 1943;  
4:17 p. m.]

#### [Special Regulation]

##### MEAT RESTRICTION ORDER

##### MISCELLANEOUS AMENDMENTS

Amendment of Restriction Order 1, as issued and amended by Office of Price Administration.

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322 (8 F.R. 3807) dated March 26, 1943, and to implement the administration and enforcement of Restriction Order 1, as amended, the administration of which has been transferred from the Office of Price Administration to the United States De-

<sup>1</sup> 7 F.R. 7839; 8 F.R. 3201, 3328, 3372, 3416.

partment of Agriculture, Restriction Order 1, as amended, is amended as follows:

1. By amending § 1407.903 (a) thereof to read as follows:

§ 1407.903 *Quotas established.* (a) The quota of a slaughterer for each type of controlled meat for Quota Period 3 shall be the conversion weight obtained by multiplying the quota base for such type of controlled meat by the percentage set forth below:

Type of controlled meat:	Percentage
Beef .....	65
Veal .....	65
Lamb and mutton .....	70
Pork .....	75

2. By deleting the provisions of § 1407.904a (a) thereof.

3. By deleting from § 1407.903 (b) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

4. By deleting from § 1407.904a (b) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

5. By deleting from § 1407.906 (b) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

6. By deleting from § 1407.908 (c) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

7. By deleting from § 1407.912 (a) (5) thereof the words "Director of the Food Rationing Division of the Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

8. By deleting from § 1407.912a (c) (5) thereof the words "Director of the Food Rationing Division of the Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

9. By deleting from § 1407.912a (f) thereof the words "Director of the Food Rationing Division of the Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

10. By deleting from § 1407.914 (b) thereof the words "Office of Price Administration", wherever those words appear, and inserting in lieu thereof the words "United States Department of Agriculture."

11. By deleting from § 1407.914 (d) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

12. By adding at the end of § 1407.914a (f) thereof the following new sentence: "Any disputes arising under § 1407.914a not determined prior to April 1, 1943, will be determined by the United States Department of Agriculture."

13. By deleting from § 1407.915 (a) thereof the words "Office of Price Ad-



ministration" and inserting in lieu thereof the words "United States Department of Agriculture."

14. By deleting from § 1407.916 (c) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

15. By deleting from § 1407.916 (d) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

16. By deleting from §§ 1407.917 (a), (b) and (c) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

17. By amending § 1407.917 (d) thereof to read as follows:

(d) If it is found that there is an area in which controlled meat is unavailable to such an extent that efficiency and despatch in the war effort or public health or morale are or will be seriously threatened, the United States Department of Agriculture will grant, with or without written application, such exceptions to slaughterers or non-quota slaughterers as shall be deemed necessary to remove such threat.

18. By deleting from § 1407.918 (a) thereof the words "Office of Price Administration" and inserting in lieu thereof the words "United States Department of Agriculture."

19. By deleting the provisions of § 1407.919a thereof.

20. By deleting from § 1407.920 thereof the words "Office of Price Administration," wherever the words appear, and inserting in lieu thereof the words "United States Department of Agriculture."

21. By amending § 1407.923 thereof to read as follows:

§ 1407.923 *Communications*. All registration statements and reports required to be filed hereunder and all communications concerning Restriction Order 1, as amended, shall be addressed to: United States Department of Agriculture, Food Distribution Administration, Washington, D. C.

22. By adding a new section as § 1407.923a thereto to read as follows:

§ 1407.923a *Saving clause*. No amendment made herein shall be construed to affect any suit, action, prosecution, penalty, or administrative or other proceeding, regardless of when commenced, or any judgment, order, decree, or verdict, regardless of when made, entered, or returned, with respect to any violation committed or liability incurred under or pursuant to the terms of Restriction Order 1, as originally issued or subsequently amended, prior to April 1, 1943.

This order shall become effective April 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Issued this 31st day of March 1943.

[SEAL] CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 43-4973; Filed, March 31, 1943;  
4:17 p. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4370]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

WESTVILLE REFINERY, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Refiner*: § 3.66 (g) *Misbranding or mislabeling—Producer status of dealer or seller*: § 3.96 (b) *Using misleading name—Vendor—Producer or laboratory status of dealer or seller*. In connection with offer, etc., in commerce, of respondent's oil, and among other things, as in order set forth, using the word "Refinery", or any other word of similar import, as a part of respondent's corporate or trade name; or otherwise representing, directly or by implication, that respondent owns, operates, or controls a refinery; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Westville Refinery, Inc., Docket 4370, March 27, 1943].

§ 3.66 (a) 7) *Misbranding or mislabeling—Composition*: § 3.66 (d) *Misbranding or mislabeling—Nature*: § 3.66 (e) *Misbranding or mislabeling—Old, secondhand, reclaimed or reconstructed as new*: § 3.96 (a) *Using misleading name—Goods—Composition*: § 3.96 (a) *Using misleading name—Goods—Nature*. In connection with offer, etc., in commerce, of respondent's oil, and among other things, as in order set forth, (1) using the word "Pennsylvania", "Penn", or "Para-Penn", or any other word of similar import, to designate or describe respondent's products; or otherwise representing, directly or by implication, that respondent's products are Pennsylvania oil; (2) representing, directly or by implication, that respondent's products are made entirely from oils having a paraffin base; and (3) representing, directly or by implication, that respondent's products are new and unused oil made from virgin crude oil; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Westville Refinery, Inc., Docket 4370, March 27, 1943].

§ 3.6 (c) *Advertising falsely or misleadingly—Old or reclaimed as new*: § 3.66 (e) *Misbranding or mislabeling—Old, secondhand, reclaimed or reconstructed as new*: § 3.69 (b) *Misrepresenting oneself and goods—Goods—Old,*

*secondhand, reclaimed or reconstructed as new*: § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Old, used or reclaimed as unused or new*. In connection with offer, etc., in commerce, of respondent's oil, and among other things, as in order set forth, advertising, offering for sale, or selling respondent's products without disclosing clearly and conspicuously in respondent's advertising and invoices, and on the containers in which such products are displayed and sold, that such products are used oil which has been reclaimed; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3.52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Westville Refinery, Inc., Docket 4370, March 27, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence in support of the allegations of the complaint taken before trial examiners of the Commission therefore duly designated by it (no evidence having been offered by respondent), report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Westville Refinery, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's oil in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Refinery", or any other word of similar import, as a part of respondent's corporate or trade name; or otherwise representing, directly or by implication, that respondent owns, operates, or controls a refinery.

2. Using the word "Pennsylvania," "Penn," or "Para-Penn", or any other word of similar import, to designate or describe respondent's products; or otherwise representing, directly or by implication, that respondent's products are Pennsylvania oil.

3. Representing, directly or by implication, that respondent's products are made entirely from oils having a paraffin base.

4. Representing, directly or by implication, that respondent's products are new and unused oil made from virgin crude oil.

5. Advertising, offering for sale, or selling respondent's products without



disclosing clearly and conspicuously in respondent's advertising and invoices, and on the containers in which such products are displayed and sold, that such products are used oil which has been reclaimed.

*It is further ordered*, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-5038; Filed, April 1, 1943;  
11:17 a. m.]

[Docket No. 4493]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

KARASTAN RUG MILLS

§ 3.66 (c 20) *Misbranding or mislabeling—Manufacture or preparation*: § 3.66 (d) *Misbranding or mislabeling—Nature*: § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Foreign, in general*: § 3.96 (a) *Using misleading name—Goods—Nature*: § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Foreign, in general*. In connection with offer, etc., in commerce, of rugs, (1) using the words "Karashah", "Kara Kirman", "Karavere", or "Kharol", or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs; (2) using the word "Kirman" or any other name of any genuine Oriental rug in combination with other words or syllables, coined or otherwise, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name; (3) using the word "Karshah" or any other word or combination of words or syllables the spelling, sound, or written appearance of which closely simulates or suggests the name of a genuine Oriental rug, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name; or (4) using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method of manufacture, and material; prohibited, subject to the provision, however, that order herein shall

not be construed as prohibiting the respondent from using the term "Karastan" to designate or describe its rugs, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs so designated and described are woven on power looms in the United States. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Karastan Rug Mills, Docket 4493, March 27, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D., 1943.

*In the matter of Marshall Field & Company, a corporation, trading and doing business under the name Karastan Rug Mills.*

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

*It is ordered*, That the respondent, Marshall Field & Company, a corporation trading and doing business under the name Karastan Rug Mills, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of rugs in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Karashah", "Kara Kirman", "Karavere", or "Kharol", or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs.

2. Using the word "Kirman" or any other name of any genuine Oriental rug in combination with other words or syllables, coined or otherwise, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name.

3. Using the word "Karshah" or any other word or combination of words or syllables the spelling, sound, or written appearance of which closely simulates or suggests the name of a genuine Oriental rug, to designate or describe rugs

which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of the particular Oriental rugs indicated by the use of such name.

4. Using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method of manufacture, and material.

*It is further ordered*, That no provision of this order to cease and desist shall be construed as prohibiting the respondent from using the term "Karastan" to designate or describe its rugs, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs so designated and described are woven on power looms in the United States.

*It is further ordered*, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-5039; Filed, April 1, 1943;  
11:17 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects, Operation and Maintenance

PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

MISSION MISCELLANEOUS IRRIGATION UNITS, CALIFORNIA

FEB. 23, 1943.

§ 130.140 *Charges*. Pursuant to the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387), the reimbursable costs of operating and maintaining the Miscellaneous Irrigation Units under the jurisdiction of the Mission Indian Agency in California are apportioned on a per acre basis against the irrigable lands of the respective units and for the calendar year 1943, and each succeeding calendar year until further order, there shall be collected, as a partial reimbursement of such costs, from each acre of irrigable land to which water can be delivered through constructed works of the project, a charge of \$1.00 per acre per annum against lands in Indian ownership, not under lease to a non-Indian, and \$3.00 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.



§ 130.141 *Payment.* The annual charges fixed in the preceding section shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the Superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.142 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads water.

(§§ 130.140 to 130.142 inclusive, issued under 38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387)

[The source of §§ 130.140 to 130.142 inclusive, is Regulations for operation and maintenance of Miscellaneous Irrigation Units under the Mission Indian Agency, California, Asst. Sec. Int. Feb. 23, 1943]

OSCAR L. CHAPMAN,  
Assistant Secretary.

[F. R. Doc. 43-4968; Filed, March 31, 1943; 2:57 p. m.]

#### PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

GANADO INDIAN IRRIGATION PROJECT, ARIZONA  
MARCH 1, 1943.

This order as approved by the First Assistant Secretary of the Interior on December 24, 1931 (CFR, Title 25, Part 130, §§ 130.41 to 130.43 inclusive) is hereby amended to read as follows:

§ 130.41 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387) the reimbursable cost of operating and maintaining the Ganado Indian Irrigation Project in Arizona, is apportioned on a per acre

basis against the irrigable lands of the project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of \$1.00 per acre per annum, against lands in Indian ownership not under lease to a non-Indian, and \$3.00 per acre per annum against lands in non-Indian ownership and Indian lands under lease to a non-Indian lessee.

These charges shall not apply to any lands furnished irrigation water under contract between the Department of the Interior and any company or corporation or individual person, which contract contains provisions for payment for furnishing or carrying water, differing from the conditions herein provided. In all such cases collections shall be made in accordance with the terms of the respective contracts.

§ 130.42 *Payment.* The annual charges fixed in the § 130.41 of this part shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay his charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency. To all charges assessed against lands in non-Indian ownership and lands in Indian ownership under base to a non-Indian lessee there shall be added a penalty of one-half of one per cent per month or fraction thereof if not paid on or before July 1, following the due date.

§ 130.43 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.41 to 130.43 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C. 385, 387)

[The source of §§ 130.41 to 130.43 inclusive, is Regulations for operation and maintenance of Ganado Indian Irrigation Project, Arizona, First Asst. Sec. Int., December 24, 1931, as amended Asst. Sec. Int., March 1, 1943]

OSCAR L. CHAPMAN,  
Assistant Secretary.

[F. R. Doc. 43-4964; Filed, March 31, 1943; 2:56 p. m.]

#### PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

HOGBACK INDIAN IRRIGATION PROJECT, NEW MEXICO

MARCH 1, 1943.

This order as approved by the First Assistant Secretary of the Interior on February 7, 1935 (CFR, Title 25, Part 130, §§ 130.44 to 130.46, inclusive) is hereby amended to read as follows:

§ 130.44 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387), the reimbursable cost of operating and maintaining the Hogback Indian Irrigation Project in New Mexico, is apportioned on a per acre basis against the irrigable lands of that project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of \$1.00 per acre per annum, against lands in Indian ownership not under lease to a non-Indian, and \$3.00 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.

For tribal lands operated by the Northern Navajo School and Agency or for tribal lands under assignment to Indians the charge shall be \$3.00 per acre per annum.

For domestic water delivered through the project canal and lateral system to permittees on the reservation lands, \$5.00 for each cistern.

§ 130.45 *Payment.* The annual charges fixed in § 130.44 of this part shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the de-



livery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.46 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.44 to 130.46 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C. 385, 387)

[The source of §§ 130.44 to 130.46 inclusive, is Regulations for operation and maintenance of Hogback Indian Irrigation Project, New Mexico, First Asst. Sec. Int. Feb. 7, 1935, as amended Asst. Sec. Int. March 1, 1943.]

OSCAR L. CHAPMAN,  
Assistant Secretary.

[F. R. Doc. 43-4965; Filed, March 31, 1943;  
2:56 p. m.]

#### PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

PALA INDIAN IRRIGATION PROJECT, CALIFORNIA

MARCH 1, 1943.

This order as approved by the Assistant Secretary of the Interior on February 28, 1938 (CFR, Title 25, Part 130, §§ 130.51 to 130.53 inclusive), is hereby amended to read as follows:

§ 130.51 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210, 25 U.S.C. 385, 387), the reimbursable cost of operating and maintaining the Pala Indian Irrigation Project in California is apportioned on a per acre basis against the irrigable lands of that project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of \$1.00 per acre per annum against lands in Indian ownership, not under lease to a non-Indian, and \$6.50 per acre per annum against lands in non-Indian ownership and lands

in Indian ownership under lease to a non-Indian lessee.

§ 130.52 *Payment.* The annual charges fixed in § 130.51 of this part shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modification upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.53 *Water users responsible for water after delivery.* It is the duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.51 to 130.53 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387)

[The sources of §§ 130.51 to 130.53 inclusive is Regulations for operation and maintenance of the Pala Indian Irrigation Project, Asst. Sec. Int., February 28, 1938, amended Asst. Sec. Int., March 1, 1943]

OSCAR L. CHAPMAN,  
Assistant Secretary.

[F. R. Doc. 43-4966; Filed, March 31, 1943;  
2:57 p. m.]

#### PART 130—ORDER FIXING OPERATION AND MAINTENANCE CHARGES

RINCON INDIAN IRRIGATION PROJECT,  
CALIFORNIA

MARCH 1, 1943.

This order as approved by the Assistant Secretary of the Interior on February 28, 1938 (CFR, Title 25, Part 130, §§ 130.58 to 130.60 inclusive), is hereby amended to read as follows:

§ 130.58 *Charges.* Pursuant to the provisions of the Acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat.

210, 25 U.S.C. 385, 387), the reimbursable cost of operating and maintaining the Rincon Indian Irrigation Project in California, is apportioned on a per acre basis against the irrigable lands of the project and for the calendar year 1943, and each succeeding year until further order, there shall be collected, as a partial reimbursement of such cost, from each acre of irrigable land to which water can be delivered through the constructed works of the project, a charge of \$1.00 per acre per annum against lands in Indian ownership, not under lease to a non-Indian, and \$6.50 per acre per annum against lands in non-Indian ownership and lands in Indian ownership under lease to a non-Indian lessee.

§ 130.59 *Payment.* The annual charges fixed in the preceding section shall become due on April 1 of each year and are payable on or before that date. The delivery of water shall be refused to tracts of land on which the charges are not paid when due unless arrangements shall have been made as hereafter provided. Where an Indian owner of land under a trust patent or a fee patent, not under lease to a non-Indian, is financially unable to pay the charges from the proceeds of the crops, or from the proceeds of labor performed on the project works, or from any other source, the delivery of water may be continued if a written certificate be issued by the superintendent that such Indian is financially unable to pay his charges. Copies of such certificates shall be forwarded to the Commissioner of Indian Affairs and shall be subject to rejection or modifications upon review. In such cases the charges shall be entered on the accounts and will stand as a first lien against the lands until paid but without penalty for delinquency.

§ 130.60 *Water users responsible for water after delivery.* It is duty of the Indian Irrigation Service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable condition for the use of economical heads of water.

(§§ 130.58 to 130.60 inclusive, issued under 38 Stat. 583, 45 Stat. 210, 25 U.S.C., 385, 387)

[The source of §§ 130.58 to 130.60 inclusive, is Regulations for operation and maintenance of the Rincon Indian Irrigation Project, Asst. Sec. Int., February 28, 1938, amended Asst. Sec. Int. March 1, 1943]

OSCAR L. CHAPMAN,  
Assistant Secretary.

[F. R. Doc. 43-4967; Filed, March 31, 1943;  
2:57 p. m.]



# **TITLE 30—MINERAL RESOURCES** **Chapter III—Bituminous Coal Division**

[Docket No. A-1719]

## **PARTS 321, 322, 328—MINIMUM PRICE SCHEDULE, DISTRICT NOS. 1, 2, AND 8**

### **ORDER GRANTING RELIEF**

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the deletion of mine index numbers of certain mines in District No. 2.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting that uniform price classifications, minimum prices and mine index numbers be established for the coals produced by deep and strip mining methods, respectively, at each of certain mines located in District No. 2, by deleting certain price classifications, minimum prices and mine index numbers hitherto established and assigned to said mines in the Schedules of Effective Minimum

Prices for District No. 2 for All Shipments Except Truck and for Truck Shipments; and

Petitions of intervention having been filed herein by District Boards Nos. 1 and 8, respectively, requesting, among other things, that relief similar to that prayed for in the original petition herein be granted with respect to certain mines located in Districts Nos. 1 and 8, respectively; and

It appearing that said petitions of intervention should be granted as set forth below, and, in all other respects should be denied, and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

The following action being deemed necessary to effectuate the purposes of the Act;

*It is ordered*, That the petitions for intervention filed herein by Bituminous Coal Producers Boards for Districts Nos. 1 and 8, respectively, be and the same hereby are granted, only, however, to the extent and in the manner as set forth herein, and in all other respects, said

petitions be, and the same hereby are, denied;

*It is further ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

1. Commencing forthwith, § 322.7 (Alphabetical list of code members) is amended by adding thereto Supplement R-I, and § 322.23 (General prices) is amended by adding thereto Supplement T-I, which supplements are hereinafter set forth and hereby made a part hereof; and

2. Commencing forthwith, § 321.7 (Alphabetical list of code members) is amended by adding thereto Supplement R-II, and § 321.24 (General prices) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof; and

3. Commencing forthwith, § 328.11 (Alphabetical list of code members) is amended by adding thereto Supplement R-III, § 328.21 (Alphabetical list of code members) is amended by adding thereto Supplement R-IV, § 328.34 (General

prices for high volatile coals in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T-III, and § 328.42 (General prices for low volatile coals) is amended by adding thereto Supplement T-IV, which supplements are hereinafter set forth and hereby made a part hereof.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937; and

*It is further ordered*, That the relief granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: March 16, 1943.

[SEAL] DAN H. WHEELER,  
 Director.

## **TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICTS NO. 1, 2, AND 8**

**NOTE:** The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

### **FOR ALL SHIPMENTS EXCEPT TRUCK**

#### **§ 322.7 Alphabetical list of code members—Supplement R-I**

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Sub- dis- trict No.	Shipping point	Railroad	Freight origin group No.	Size Group Nos.															
								1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1017	Coates, J. & T., Mine Index No. 2302)	Beatrice	Pittsburgh	7	Imperial, Pa.	Mont.	72	D	D	C	C	F	F	G	G	G	G	(f)	(f)	(f)	(f)	(f)	(f)
1076	Fresa & Sowers, Mine Index No. 2278)	Fresa & Sowers #1	Pittsburgh	3	Grays Landing, Pa.	Monon. River	30	(f)	(f)	(f)	(f)	(f)	(f)	E	E	E	E	(f)	(f)	(f)	(f)	(f)	(f)
1076	Fresa & Sowers, Mine Index No. 2278)	Fresa & Sowers #2	Pittsburgh	3	Mason, Pa.	Mongh.	31	(f)	(f)	(f)	(f)	(f)	(f)	E	E	E	E	(f)	(f)	(f)	(f)	(f)	(f)
2492	Keedy & O'Laughlin, Mine Index No. 2486)	Moorewood	Pittsburgh	3	Nixon Sliding, Alverton, Pa.	PRR	31	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)
1008	Klones, Mike, Mine Index No. 2400)	Davis	Sewickley	3	Waltersburg, Pa.	PRR	31	J	J	H	H	H	H	H	H	H	H	(f)	(f)	(f)	(f)	(f)	(f)
2251	Lynch, H. W., Mine Index No. 2277)	Lynch	Pittsburgh	9	Belle Vernon, Pa.	Monon. River	74	D	D	C	C	C	C	C	C	C	C	(f)	(f)	(f)	(f)	(f)	(f)
2266	Mammoth Coal & Coke Co., c/o A. B. Kelly, Mine Index No. 2276)	Mammoth	Pittsburgh	3	Mammoth, Pa.	PRR		(f)	(f)	E	E	E	E	E	B	B	B	(f)	(f)	(f)	(f)	(f)	(f)
2226	Opperman, Fred S., (Connellsville Bluestone Co.), Mine Index No. 2231)	Opperman	Pittsburgh	3	Connellsville, Pa.	PRR	31	(f)	(f)	(f)	(f)	(f)	(f)	(f)	B	C	C	(f)	(f)	(f)	(f)	(f)	(f)
2239	Parshall & Crow Coke Co., (Frank R. Crow, Jr.), Mine Index No. 2245)	Warman	Pittsburgh	3	Leckrone, Pa.	B&O-PRR	114	(f)	(f)	(f)	(f)	(f)	(f)	(f)	D	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)
2394	Revere Coal & Coke Co., (Wm. J. Reilly), Mine Index No. 2405)	Alice	Sewickley	3	Rally Sdg., S. Union No. 1, Pa.	PRR-B&O	114	J	J	H	H	H	H	H	H	H	H	(f)	(f)	(f)	(f)	(f)	(f)
1750	Treasure, Francis L., Mine Index No. 2281)	Willyard #1	Pittsburgh	8	Farnassus, Pa.	PRR	79	D	D	C	C	C	C	C	D	D	D	(f)	(f)	(f)	(f)	(f)	(f)

† Indicates no prices or classifications in these size groups.

‡ Indicates deletion of mine index numbers, minimum prices, price classifications and railroad fuel groups heretofore established for the coals produced by these mines.

**NOTE.**—In § 322.9 (c) in Minimum Price Schedule add the mine index numbers in groups shown. Group No. 1: 2266; Group No. 2: 1617; Group No. 3: 2226, 2239, 2492; Group No. 7: 1676; Group No. 8: 1008, 2304; Group No. 9: 1750.



## § 321.7 Alphabetical list of code members—Supplement R-II—Continued

Mine index	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3638	Christy Coal Co., H. J. (H. J. Christy), Mine Index No. 3633.	Reeseville	10	B	Reeseville, Pa.	P & S	119	(t)	(t)	(t)	(t)	(t)
3639	Danneker & Fox (Henry Danneker), Mine Index No. 3573.	Oak Hill Coa. Mine	13	D	Amesville Sid-ing, Pa.	P R R	45	(t)	(t)	(t)	(t)	(t)
3640	DeRomo, Michael, Mine Index No. 3331.	DeRomo	8	B	Phillipsburg, Pa.	P R R	45	(t)	(t)	(t)	(t)	(t)
3641	Kosko, Michael, Mine Index No. 3647.	Lehigh #25	9	A	Show Shoe, Pa.	P R R	49	(t)	(t)	(t)	(t)	(t)
3642	Matthews, John H., Mine Index No. 3636.	Matthews #5	7	D	Grampian, Pa.	P R R	45	(t)	(t)	(t)	(t)	(t)
3643	Pine Hill Smokeless Coal Company, Mine Index No. 3637.	Ponfeigh #6 A.	41	Sewickley	Pine Hill, Pa.	B & O	100	(t)	(t)	(t)	(t)	(t)
3644	Wooldridge Coal Company, Mine Index No. 3639.	Wooldridge #4	8	E	Woodland, Pa.	N Y C	44	(t)	(t)	(t)	(t)	(t)

Indicates no prices or classifications in these size groups.

Indicates deletion of mine index numbers, minimum prices and price classifications heretofore established for the coals produced by these mines.

## FOR TRUCK SHIPMENTS

## § 321.24 General prices—Supplement T-II

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened, top size 2" and over	Double screened, top size 2" and under	Run of mine modified R/M	2" and under slack	3" and under slack
B & M Coal Co. (John Barger), Mine Index No. 3310.	3655	B & M Coal Co. #3	36	Somerset	Pittsburgh	(t)	(t)	245	235	225
Christy Coal Co., H. J. (H. J. Christy), Mine Index No. 3633.	3638	Reeseville	10	Armstrong	B	255	235	235	215	205
Danneker & Fox (Henry Danneker), Mine Index No. 3573.	3381	Oak Hill Coal Mine	13	Clearfield	D	(t)	(t)	260	(t)	(t)
DeRomo, Michael, Mine Index No. 3331.	3596	DeRomo	8	Clearfield	B	(t)	(t)	245	(t)	(t)
Kosko, Michael, Mine Index No. 3647.	3646	Lehigh #25	9	Centre	A	(t)	(t)	250	(t)	(t)
Matthews, John H., Mine Index No. 3636.	3627	Matthews #5	7	Clearfield	D	(t)	(t)	240	230	220
Pine Hill Smokeless Coal Company, Mine Index No. 3637.	3632	Ponfeigh #6A	41	Somerset	Sewickley	(t)	(t)	245	(t)	(t)
Wooldridge Coal Company, Mine Index No. 3639.	3650	Wooldridge #4	8	Clearfield	E	(t)	(t)	245	(t)	(t)

Indicates no prices or classifications in these size groups.

Indicates deletion of mine index numbers, minimum prices and price classifications heretofore established for the coals produced by these mines.

## FOR TRUCK SHIPMENTS

## § 322.23 General prices—Supplement T-I

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Seam	Base sizes	1	2	3	4	5	6	7	8	9	10	11	12" slack	14" slack
ALLEGHENY COUNTY																	
Conter, J. & T., Mine Index No. 2302.	1517	Beatrice	Pittsburgh	Lump over 4"	295	285	275	260	235	230	230	240	200	190	180		
FAYETTE COUNTY																	
Fresa & Sowers, Mine Index No. 2278.	1576	Fresa & Sowers #6	Pittsburgh	Lump 4"	310	300	290	270	250	240	235	240	225	220	195		
Klimes, Mike, Mine Index No. 2406.	1008	Davis	Sewickley	Lump 3"	300	290	280	265	245	230	230	230	220	215	195		
Opperman, Fred S., Connellsville Blue-stone Co., Mine Index No. 2233.	2226	Opperman	Pittsburgh	Lump 2"	310	300	290	270	250	240	235	240	225	220	195		
Parshall & Crow Coke Co., Frank R. Crow, Mine Index No. 2240.	2229	Warman	Pittsburgh	Lump 1"	310	300	290	270	250	240	235	240	225	220	195		
Revere, Wm. J. Reilly, Mine Index No. 2405.	2394	Alice	Sewickley	Lump over 4"	295	285	275	260	235	230	230	230	215	210	195		
WESTMORELAND COUNTY																	
Keedy & O'Laughlin, Mine Index No. 2485.	2492	Moorewood	Pittsburgh	Lump over 4"	300	290	280	265	240	230	235	255	215	205	195		
Lynch, H. W., Mine Index No. 2277.	2251	Lynch	Pittsburgh	Lump 4"	300	290	280	265	240	230	230	235	215	205	195		
Mammoth Coal & Coke Company, c/o A. B. Kelly, Mine Index No. 2276.	2266	Mammoth	Pittsburgh	Lump 3"	310	300	290	270	250	240	235	240	225	220	195		
Treasure, Francis L., Mine Index No. 2228.	1750	Willyard #1	Pittsburgh	Lump 2"	295	285	275	265	245	240	235	235	215	205	195		

Indicates deletion of Mine Index Numbers, minimum prices and price classifications heretofore established for the coals produced by these mines.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

## FOR ALL SHIPMENTS EXCEPT TRUCK

## § 321.7 Alphabetical list of code members—Supplement R-II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group No. 1]

Mine index	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2658	B & M Coal Co. (John Barger), Mine Index No. 3310.	B & M Coal Co. #3	36	Pittsburgh	Boswell, Pa.	B & O	100	(t)	(t)	(t)	(t)	(t)



§ 328.11 Alphabetical list of code members—Supplement R-III

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

<sup>†</sup>Indicates no classification effective for these size groups.  
<sup>‡</sup>Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.

§ 328.21 *Alphabetical list of code members—Supplement R-IV*

[Alphabetical list of code members having railway loading facilities showing price classifications by size groups for all uses except as separately shown]

<sup>1</sup> Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.



## § 328.42 General prices for low volatile coals—Supplement T-IV

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine	Mine Index No.	Seam	All lump							
				1	2	3	4	5	6	7	8
SUBDISTRICT NO. 9—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS	BUCHANAN COUNTY, VA.	Page 4987, Filed, March 31, 1943; 10:42 a. m.]	362	Cary	325	325	310	250	225	190	185
					325	325	320	270	300	235	170
SUBDISTRICT NO. 10—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS	BUCHANAN COUNTY, VA.	Page 4987, Filed, March 31, 1943; 10:42 a. m.]	362	Cary	325	325	310	250	225	190	185
					325	325	320	270	300	235	170

<sup>1</sup> Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.

[F. R. Doc. 43-4987; Filed, March 31, 1943; 10:42 a. m.]

[Docket No. A-1568]

PART 328—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 8

## ORDER GRANTING RELIEF

Order granting permanent relief in the matter of the petition of District Board No. 8 for a change to higher price classifications and higher minimum prices for rail shipments for the coals of Mine Index Nos. 339, 278, 892, 5215, 5214, 669, and 480 in the No. 5 seam, in Virginia Subdistrict, District No. 8.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the classifications and minimum prices of the coals of Blue Diamond Coal Company, operating the Monarch Mine (Mine Index No. 339), Kemmerer Gem Coal Company, operating Mine No. 1 & 2 (Mine Index No. 278), and the Virginia-Lee Company, operating the Virginia-Lee Mine (Mine Index No. 480), in the No. 5 Seam of the Virginia subdistrict of District 8, in Size Groups 1 to 22, inclusive, for rail shipment, in accordance with the classifications and minimum prices contained in Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

Dated: March 22, 1943.  
[SEAL] DAN H. WHEELER,  
Director.

## FOR TRUCK SHIPMENTS

## § 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T-III

Code member index	Mine	Mine Index No.	Seam	Base sizes							
				Lump over 2' x 6' egg	Lump 2' x 6' egg	Lump 2' x 6' egg	Lump 2' x 6' egg	Size 2' x 4' egg	Sieve 3' and under	Size 2' and under	Size 2' and under, slack
SUBDISTRICT NO. 1—BIG SANDY-ELKHORN FLOYD COUNTY, KY. Sizemore Mining Corporation, c/o J. H. Cooley, Mine Index No. 5651. SUBDISTRICT NO. 2—HARLAN HARLAN COUNTY, KY. Clover Splint Coal Company, Inc., Mine Index No. 6635. Cornett Lewis Coal Company, Mine Index No. 5653. SUBDISTRICT NO. 4—KANAWHA RALEIGH COUNTY, W. VA. Birchton Coal Company Mine Index No. 5555. SUBDISTRICT NO. 5—LOGAN LOGAN COUNTY, W. VA. Buffalo Chilton Coal Company Mine Index No. 729. SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN BELL COUNTY, KY. Garmesda Coal Co. Mine Index No. 5649. SUBDISTRICT NO. 7—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Turner	5648	Elkhorn No. 1 & 2	305	285	245	250	235	235	190	185
				355	335	245	280	245	235	195	190
SUBDISTRICT NO. 8—SOUTHERN APPALACHIAN BELL COUNTY, KY. Garmesda Coal Co. Mine Index No. 5649. SUBDISTRICT NO. 9—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Clover Splint	123	High & Low Splint	355	335	245	280	245	235	195	190
				355	335	245	280	245	235	195	190
SUBDISTRICT NO. 10—SOUTHERN APPALACHIAN BELL COUNTY, KY. Garmesda Coal Co. Mine Index No. 5649. SUBDISTRICT NO. 11—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Corlew	137	High & Low Splint	355	335	245	280	245	235	195	190
				355	335	245	280	245	235	195	190
SUBDISTRICT NO. 12—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Birchton	46	Cedar Grove & U. Cedar Grove	295	275	245	255	225	235	205	200
				295	275	245	255	225	235	205	200
SUBDISTRICT NO. 13—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Buffalo No. 1	76	Chilton & Island Creek	265	245	240	235	220	230	200	195
				265	245	240	235	220	230	200	195
SUBDISTRICT NO. 14—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Garco	225	Lower Hignite & Red Springs	305	285	240	260	235	230	165	160
				305	285	240	260	235	230	165	160
SUBDISTRICT NO. 15—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Steinman	446	Upper Banner	295	275	255	265	235	245	215	210
				295	275	255	265	235	245	215	210
SUBDISTRICT NO. 16—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	No. 1 & 2	278	No. 5	320	300	245	265	235	235	195	190
				320	300	245	265	235	235	195	190
SUBDISTRICT NO. 17—VIRGINIA DICKENSON COUNTY, VA. Ruth Elkhorn Coals, Inc., Mine Index No. 732. LEE COUNTY, VA. Kemmerer Gem Coal Company Mine Index Nos. 669, 892, 5215, and 5214. TAEWELL COUNTY, VA. Consumers Mining Corporation Mine Index Nos. 3640, 3641, and 5225. <sup>1</sup>	Graceland	643	Upper Banner	285	265	240	240	235	230	175	170
				285	265	240	240	235	230	175	170

<sup>1</sup> Indicates deletion of mine index numbers, minimum prices and price classifications, heretofore established for the coals produced by these mines.



## PERMANENT EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

Note: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and the supplement thereto.

## FOR RAIL SHIPMENTS

## § 328.11 Alphabetical list of code members—Supplement R

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group	Price classifications by size group Nos.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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320	Blue Diamond Coal Company.	Monarch.....	No. 5.....	7	St. Charles, Va.....	S o u. & L&N.	204	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

\*Indicates previously classified these size groups.

†Indicates no classification effective for these size groups.

[F. R. Doc. 43-4938; Filed, March 31, 1943; 10:42 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter IX—War Production Board

## Subchapter B—Executive Vice Chairman

**AUTHORITY:** Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

## PART 977—MANILA FIBER AND MANILA CORDAGE

[General Preference Order M-36, as Amended March 31, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Manila fiber and Manila cordage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Now, therefore, it is hereby ordered, That:

§ 977.1 General Preference Order M-36—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of priorities regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Manila fiber" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp (either stripped or decorticated), Sumatra abaca and Panama abaca. Except as provided in paragraph (d) (1), Manila fiber does not mean the fiber grades of T, O, W, or Y, as established by the Insular Government of the Philippine Islands.

(2) "Manila cordage" means cables and ropes  $\frac{1}{8}$  inch in diameter and larger, and twines used for fishing nets, in which Manila fiber either alone or in combination with other materials is used, but does not include Manila cordage sold or delivered for its scrap value.

(3) "Class A cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will at least equal the fiber quality requirements of Federal Specification T-R-601a.

(4) "Class B cordage" means Manila cordage which contains such a combination of grades of Manila fiber as will give a Becker value not in excess of thirtynine, such Becker value to be determined according to the methods set forth in said Federal Specification T-R-601a.

(5) "Cordage processor" means any person other than the Navy of the United States who spins, twists, weaves or otherwise uses Manila fiber in the production of Manila cordage.

(6) "Processing" means any use of Manila fiber for the manufacture of any other article or commodity into which the Manila fiber goes or of which it becomes a part.

(7) "Dealer" means any person who procures Manila cordage for storage or for sale, and includes selling agents, and other commercially recognized agents acting for their own account or for others, whether or not acquiring title to such Manila cordage, but shall not include an importer.

(8) "Basic monthly poundage" with respect to any cordage processor shall be the average number of pounds per month of Manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any cordage processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(9) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded ware-

house) in the continental United States, and shipments in bond into the continental United States for transshipment to Canada, Mexico or any foreign country.

(c) *Restrictions on deliveries of Manila fiber.* No person shall hereafter make or accept delivery of any Manila fiber unless specifically authorized by the War Production Board: *Provided, however,* That deliveries of Manila fiber may be made:

(1) By and to the Navy of the United States.

(2) By and to the Defense Supplies Corporation.

(3) By and to persons importing or otherwise handling Manila fiber in accordance with written instructions from the Navy of the United States or from the Defense Supplies Corporation, provided that such Manila fiber is to be delivered, either processed or unprocessed, directly, or through one or more other persons, to the Navy of the United States or to the Defense Supplies Corporation.

(4) By importers to cordage processors of Manila fiber rejected by the Navy of the United States or Defense Supplies Corporation as unfit for their use.

(5) By cordage processors to cordage processors of Manila fiber which at the time of any such delivery had been previously imported into the United States.



(d) *Restrictions on processing of Manila fiber.* (1) No person shall begin the processing of any Manila fiber, including the fiber of grades T, O, W, or Y, as established by the Insular Government of the Philippine Islands, except for the purpose of manufacturing Class A or Class B cordage for sale or delivery to fulfill the orders hereafter specified in paragraph (e) (2), or such cordage as may be required to meet the specifications of orders of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents.

(2) No cordage processor shall put into process in any month, commencing January 1, 1943, more Manila fiber than 37% of his basic monthly poundage, of which percentage not more than 20% shall be put into process to fill purchase orders for Manila cordage uses specified in paragraph (e) (2) (ii).

(3) Any cordage processor shall, notwithstanding the limitations of paragraphs (d) (2) and (e) (1), and in addition to any action permitted thereunder:

(i) Process into Manila cordage any Manila fiber furnished to the said cordage processor by the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, and sell and deliver such cordage to, or for the account of, the agencies furnishing the fiber.

(ii) Process into Manila cordage such additional amounts of Manila fiber and sell and deliver such additional amounts of Manila cordage as may from time to time be determined by the War Production Board to be necessary in the public interest and to promote the national defense.

(e) *Restrictions on sales and deliveries of manila cordage.* (1) During the period January 1 through March 31, 1943, and each following three-month period, no cordage processor shall sell or deliver more manila cordage than 124½% of his basic monthly poundage, of which quantity not more than 20% shall be sold or delivered to fill purchase orders for manila cordage uses specified in paragraph (e) (2) (ii).

(2) In addition to the limitations in paragraphs (e) (1) and (e) (3) no cordage processor or dealer shall sell or deliver any Manila cordage and no person shall purchase or accept delivery of any Manila cordage except to fill the following:

(i) Orders for Manila cordage for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its operating or general agents, or for physical incorporation in other products to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration or its general or operating agents. Every such purchase order for physical incorporation into products to be delivered to or for the account of the foregoing named agencies shall be accompanied by a cer-

tificate in substantially the following form:

The undersigned hereby represents to his vendor and to the War Production Board that the Manila cordage covered by the annexed purchase order is for physical incorporation into the products to be delivered to

(Here insert name of one of the foregoing named agencies)

pursuant to contract No. \_\_\_\_\_

Name of purchaser \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

Authorized person

(ii) Purchase orders for the following categories and uses:

(a) Purse lines for use in commercial fishing;

(b) Lines not less than 4½ inches in circumference used exclusively in towage or by ocean-going vessels engaged in the carriage of cargo and passengers as common carriers;

(c) Manila drilling cables for use in drilling oil wells, gas wells, and mines;

(d) Manila torpedo lines for use in handling explosives;

(e) Manila shot lines;

(f) Life boat falls for use on ocean, coastal or Great Lakes vessels of one thousand tons or over.

(iii) Purchase orders for Manila cordage:

(a) Carrying a preference rating of A-1-j or higher, evidenced by a preference rating certificate, or

(b) For use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage or in fishing for commercial fish markets or canneries, for use in hoisting for the loading or discharge of cargo of such vessels, and for uses of shipbuilding: *Provided, however,* That the Manila fiber for the manufacture of cordage covered by the purchase order of the type specified in this paragraph (e) (2) (iii) (a) shall have been put into process by a cordage processor on or before September 14, 1942: *And provided further,* That Manila fiber for the manufacture of cordage covered by purchase orders of the categories specified in paragraph (e) (2) (iii) (b) shall have been put into process by a cordage processor on or before July 4, 1942.

(iv) Orders placed by Defense Supplies Corporation or Metals Reserve Company: *Provided, however,* That no cordage processor or dealer shall deliver any Manila cordage upon any order placed with him pursuant to paragraph (e) (2) (ii) or (e) (2) (iii) (b), unless and until such processor or dealer shall have first received from the person placing such order a certificate signed on behalf of such person by a duly authorized individual in substantially the following form:

The undersigned hereby represents that the Manila cordage covered by this order will be used by the undersigned only for the uses specified in paragraph (e) (2) of General Preference Order M-36, as amended, with the terms of which the undersigned is familiar.

(3) No person, other than the Army or Navy of the United States, the United States Maritime Commission, the War

Shipping Administration or its operating or general agents, the Defense Supplies Corporation, the Metals Reserve Company or an importer, shall hereafter order or accept delivery of any Manila cordage if the amount of the Manila cordage held or under control of such person exceeds one and one half months' supply for such person; and no person, other than those hereinabove excepted, shall have outstanding at any one time orders for future deliveries of Manila cordage in an amount greater than one month's supply for such person. "Supply" as used in this paragraph means the average monthly amount of Manila cordage withdrawn from the inventory of such person, which has been resold or put into actual use by such person, in the three calendar months immediately preceding the calendar month in which said order is placed or delivery is accepted, or in the three calendar months of the previous year which immediately follow the calendar month of that year corresponding with the month in which said order is placed or delivery is accepted, whichever shall be the higher: *Provided, however,* No person shall be entitled to count as withdrawn from inventory and resold or put into actual use, for the purpose of calculating his permitted supply, any lots of Manila cordage purchased expressly for and resold or delivered to the Army or Navy of the United States, the United States Maritime Commission, the Defense Supplies Corporation, or the Metals Reserve Company, but every such person shall be entitled to include in the said calculation as withdrawn from inventory and resold or put into actual use any lots of Manila cordage sold to any of the foregoing from his general supply of Manila cordage where such lots, or their equivalent, were not purchased by him expressly for such resale: *And provided further,* That nothing herein contained shall prohibit the importation of, or restrict the inventory of, imported Manila cordage which may be held by any dealer for whose account such Manila cordage was imported.

(f) *Control of stocks of Manila fiber.* Control is hereby taken of the distribution and use of Manila fiber. Any Manila fiber at any time hereafter in the inventory of any person shall be sold and delivered by such person if and as specifically directed in any order of the War Production Board which may be issued whenever the War Production Board shall determine that a shortage of any particular grade of Manila fiber for defense, or for private account and for export, renders it necessary or appropriate so to allocate such Manila fiber in the public interest or to promote the national defense by so directing its sale and delivery by such person. Any such sale shall be made at the established prices and terms of sale and payment therefor. No person shall dispose of or use Manila fiber in any manner inconsistent with any such order.

(g) *Exclusions from this order.* The terms and provisions of this order shall not apply to:



(1) Sales and/or deliveries by any cordage processor or dealer of Manila cordage of any class from stocks on hand or in process as of February 20, 1942, of the following types:

- (i) Manila lariat rope,
- (ii) Manila yacht lariat rope,
- (iii) Manila transmission rope,
- (iv) Manila left laid spinning lines, not including cordage of cable construction suitable for use as drilling cables even though such products may have been purchased or sold for spinning lines.

(2) Any sales and/or deliveries by any cordage processor or dealer of Manila cordage which on December 19, 1941, was in the form of cut lengths of less than 200 feet.

(3) Any stock of Manila cordage which contains no Manila fiber of the following grades—AB Davao or non-Davao, 1 Davao, JI Davao, G. Davao, S2 Davao, and which is so processed that the Manila fiber therein contained is combined or mixed with at least an equal amount of fiber other than Manila fiber, in the hands of a dealer or cordage processor, or in transit on February 20, 1942, or made from Manila fiber actually placed on machines by a cordage processor on or prior to December 19, 1941.

(4) Any Manila cordage imported into the United States on or after July 4, 1942, and which has been offered for sale to, and rejected in writing by, any two of the following:

- (i) The Army of the United States,
- (ii) The Navy of the United States,
- (iii) The United States Maritime Commission, or
- (iv) The War Shipping Administration or its operating or general agents.

(5) Delivery by or to any person having temporary custody of Manila cordage or Manila fiber solely for the purposes of transportation or the public warehousing thereof.

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of Manila fiber conserved, or that compliance with this order would disrupt or impair a program of conversion for nondefense work to defense work, may appeal to the War Production Board by letter or telegram Ref: M-36, setting forth the pertinent facts and the reason he considers he is entitled to relief, or upon such form or forms as may hereafter be prescribed. The War Production Board may thereupon take such action as it deems appropriate. Applications for specific exceptions from the limitations of paragraph (e) (3) should be made in writing by the person desiring to use the cordage.

(i) *Reports.* Every importer of Manila fiber or Manila cordage and every processor of Manila fiber shall file with the U. S. Tariff Commission, acting for the War Production Board, not later than the tenth day of the following month, a report on form PD-128 and/or PD-129,

and all persons affected by this order shall file with the War Production Board such reports as may from time to time be required by said Board.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production, sales and other transactions pursuant to this order, and shall from time to time, upon request, submit all records required to be kept by this order to audit and inspection by duly authorized representatives of the War Production Board.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(l) *Communications to the War Production Board.* All reports to be filed, appeals and other communications concerning this order, unless otherwise stated, shall be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-36.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-4946; Filed, March 31, 1943;  
11:22 a. m.]

#### PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L-211, Schedule 3 as  
Amended March 31, 1943]

#### BARBED WIRE, WIRE FENCE, WIRE NETTING AND WIRE FLOORING

##### § 3102.4 Schedule 3 to Limitation Order L-211—(a) Restrictions on barbed wire.

(1) No person shall produce, fabricate or deliver barbed wire except two point barbed wire of 14 gauge strands and 16 gauge barbs, or two or four point barbed wire of 12½ gauge strands and 14 gauge barbs, the spacing of the barbs in each style to be not less than four inches.

(2) No person shall produce or fabricate in any calendar quarter commencing April 1, 1943 a greater tonnage of barbed wire of 12½ gauge strands and 14 gauge barbs than barbed wire of 14 gauge strands and 16 gauge barbs.

(3) No person shall supply barbed wire except on 80 rod spools.

(b) *Restrictions on wire fence, wire netting and wire flooring.* No person shall produce, fabricate or deliver woven or welded wire fence, wire netting or wire flooring, except in the styles, specifications and in the length of rolls set forth in List 1 attached hereto.

(c) *Restrictions on use of copper.* No person shall add any copper to steel to be used in the production of wire for fabrication of barbed wire, woven or welded wire fence, wire netting or wire flooring.

(d) *Restrictions on galvanizing.* No person shall apply any zinc coating to barbed wire, or woven or welded wire fence in excess of the weights specified in Weight A, Table IV, Federal Specification QQ-W-461, issued June 16, 1941, except that half gauges shall take the weight classification of the next heavier gauge specified.

(e) *Acceptance of delivery.* No person shall accept delivery of material which he knows or has reason to believe was produced, fabricated or delivered in violation of the provisions of paragraphs (a), (b), (c), or (d).

(f) *General exceptions.* The provisions of paragraphs (a), (b), (c), (d), and (e) shall not apply to material:

(1) The production, fabrication, delivery or acceptance of which is specifically permitted by the War Production Board, or

(2) Which has been produced or fabricated before November 12, 1942, or which before such date has been processed in such manner and to such extent that processing to conform to such provisions would be impracticable, or

(3) To be purchased by or for the account of any of the following, to the extent that such material is called for by the specifications applicable to the contract, subcontract, or purchase order:

(i) The Army or Navy of the United States, the United States Maritime Commission, and the War Shipping Administration;

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(iii) The government of any country listed above, or any other country, including those in the Western Hemisphere, where the contract or purchase order is placed by any agency of the United States Government, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(g) *Exception to restriction on length of rolls.* The restrictions as to length of rolls contained in paragraphs (a) and (b) shall not be applicable to deliveries on preference ratings assigned by the Board of Economic Warfare, deliveries on Lend-Lease orders, or to deliveries by any person to the ultimate consumer.

(h) *Records.* Each producer or fabricator owning or possessing material excepted by the provisions of paragraph (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.



## LIST 1

## POULTRY FENCE—10 ROD ROLLS ONLY

Styles*	Inches between stays	Filler wire gauge	Top-bottom wire gauge
1948.....	6	14½	11
1948.....	6	15½	12½
2048.....	6	15½	12½
2148.....	6	15½	12½

## HOG AND CATTLE FENCE—20 ROD ROLLS ONLY

726.....	6	14½	11
726.....	6	12½	10
832.....	6	14½	11
832.....	12	12½	10
939.....	12	12½	10
939.....	12	12½	10

## WIRE NETTING—150 FOOT ROLLS ONLY

Height	Mesh	Wire gauge
48".....	2"	20
12".....	1"	20
60".....	2"	20

## WIRE FLOORING—100 FOOT ROLLS ONLY

36".....	1" x 2".....	14
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\*The classification of styles of woven or welded wire fence is designated by numbers in accordance with recognized trade practice. The last two digits of such numbers refer to the height of the fence and the first digit (or two digits) refer to the number of horizontal bars or line wires. For example: Style 1948 means a fence having 19 line wires and a height of 48 inches.

[F. R. Doc. 43-4947; Filed, March 31, 1943; 11:22 a. m.]

## PART 3169—KNIT UNDERWEAR

[Limitation Order L-247 as Amended March 31, 1943]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of materials for knit underwear for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3169.1 *Limitation Order L-247—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Knit underwear" means all underwear made of knitted fabrics. The term shall not include slips, pajamas or gowns, other than infants' gowns.

(2) Unless otherwise indicated all trade terms shall have their customary trade meanings.

(c) *General restrictions on manufacture.* No person shall cut any fabric for or manufacture knit underwear, except in conformity with the following requirements:

(1) The types and number of permitted fabrics and models for each type shall be as shown in Schedule A. Any

variation in either construction, fiber content of yarn, type of stitch, or weight, shall constitute a different fabric. Any variation in either cut, trim, or sleeve or leg length shall constitute a different model. A variation in color, method of finishing or size shall not constitute a different model.

(2) No knit underwear shall have any rayon striping, or any decorative trimming which does not add to the serviceability of the garment, unless permitted by Schedule A.

(3) The weight of any circular knit rayon fabric used shall not be lighter than 6.00 yards per pound or heavier than 3.50 yards per pound both based on 36 inch width.

(4) The rayon content in men's shirts, shorts or union suits or any types of infants' knit underwear shall be less than 50%.

(d) *Exception.* The prohibitions and restrictions of paragraph (c) shall not apply to knit underwear delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(e) *Fair distribution of products.* No person shall discriminate, in the acceptance or filling of orders, sales or deliveries, of knit underwear as between any of his customers who meet his established prices and terms.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(g) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference L-247.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Effective date.* This order shall take effect on May 1, 1943.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## SCHEDULE A

Permitted types (all without decorative trim unless otherwise noted)	Maximum number and kinds of permitted fabrics	Maximum number of models per each type irrespective of fabric used
<i>Men's knit union suits</i>		
Heavyweight (over 9 lbs. per doz., for size 42, long sleeve ankle length).....	3 all cotton.....	2
Lightweight.....	2 wool percentages.....	
Wool spun—flat.....	3.....	4
Wool spun—ribbed.....	2 wool percentages.....	2
Fleeced.....	3 wool percentages.....	2
	2.....	1
<i>Men's knit shirts</i>		
Heavyweight (over 7 lbs. per doz., for size 42, long sleeve).....	2 all cotton.....	2
Lightweight (with sleeves).....	2 wool percentages.....	
Wool spun—flat.....	2 all cotton.....	2
Wool spun—ribbed.....	1 wool percentage.....	2
Fleeced.....	3 wool percentages.....	2
Athletic shirts (sleeveless).....	2.....	1
	3.....	12
<i>Men's knit drawers</i>		
Heavyweight (over 5 lbs. per doz., for size 38, ankle length).....	2 all cotton.....	2
Lightweight.....	2 wool percentages.....	
Wool spun—flat.....	2 all cotton.....	3
Wool spun—ribbed.....	1 wool percentage.....	1
Fleeced.....	3 wool percentages.....	1
	2.....	1
<i>Sleeping garments</i>		
Men's.....	3.....	2
Boys'.....	3.....	2
<i>Boys' knit union suits</i>		
Heavyweight (over 5½ lbs. for size 34, long sleeve ankle length).....	2 all cotton.....	3
Lightweight.....	2 wool percentages.....	
Fleeced.....	2.....	2
	1.....	1

<sup>1</sup> Except as to bottom finish.







export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3103.1 *General Limitation Order No. L-212—(a) Definitions.* For the purposes of this order:

(1) "Incandescent lighting fixture" means any equipment designed or constructed for the purpose of illumination and employing or used in connection with an incandescent electric light source. Incandescent lighting fixture shall include, but is not limited to a portable fixture designed for use in conjunction with any industrial machine, tool, assembly bench or other similar factory equipment. Incandescent lighting fixture shall not include

(i) A portable lamp as defined by Limitation Order L-33; or

(ii) A floodlight, searchlight, blackout and dimout lighting fixture; or

(iii) A traffic signal, street and highway luminaire; or

(iv) Automotive and airport lighting equipment; or

(v) A flashlight, any portable battery operated lighting device; or

(vi) Any lighting fixture specifically designed for use on ships, or as a dental or surgical operating room fixture.

(2) "Industrial incandescent lighting fixture" means an incandescent lighting fixture designed and constructed to provide general or localized illumination for an area of manufacturing, processing, storage or transportation including, but not limited to, a machine shop, laboratory, warehouse, power plant, yard platform, dock, pier, passageway, or arsenal, or for a camp or cantonment. For the purpose of this order an office or a drafting room is not an area in which manufacturing or processing is performed.

(3) "Heavy duty fixture" means an industrial incandescent lighting fixture consisting of a drawn or spun steel threaded hood supporting a reflector which reflector is made with a three to three and one-half inch threaded neck.

(4) "Residential incandescent lighting fixture" means an incandescent lighting fixture designed and constructed to provide illumination in a human habitation.

(5) "Utility incandescent lighting fixture" means an incandescent lighting fixture other than an industrial or residential incandescent lighting fixture.

(6) "Reflector" means that part or parts of an incandescent lighting fixture which part or parts are designed and constructed to redirect the light from an incandescent light source in a desired direction or directions or to shield or intercept the light from an incandescent light source.

(7) "Globe holder" means that part of an incandescent lighting fixture which part is designed and constructed to hold the socket and the enclosing globe.

(8) "Canopy" means that part of an incandescent lighting fixture which part is designed and constructed to protect any connection of such fixture to an electrical system or a building.

(9) "Hood" means that part of an incandescent lighting fixture which part is designed and constructed to contain a lamp holding device or socket and to support a reflector.

(10) "Put into process" means the act by which a person first changes the form of material from that form in which it was received by him.

(11) "Maintenance" means the minimum upkeep necessary to the continued and safe operation of any incandescent lighting fixtures.

(12) "Repair" means the restoration of any incandescent lighting fixture to a sound working condition after wear and tear, damage or destruction has made it unfit or unsafe for service.

(b) *Restrictions—(1) Manufacture of industrial, residential and utility incandescent lighting fixtures.* On and after the 10th day of April 1943, notwithstanding any contract or agreement to the contrary, no person shall put into process any material in manufacture of any industrial, residential or utility incandescent lighting fixture or any component part of any industrial, residential or utility incandescent lighting fixture except:

(i) Glass, materials used in making glass, or any other material specifically authorized by the War Production Board.

(ii) Materials which were acquired by him prior to March 31, 1943, *Provided*, That copper, copper base alloys or copper products shall be used only in accordance with limitations established by General Conservation Order M-9-c; or

(iii) Materials which were acquired by him subsequent to March 31, 1943, pursuant to orders or contracts which bear rating of A-1-j or better, *Provided*, That copper, copper base alloys or copper products shall be used only in accordance with limitations established by General Conservation Order M-9-c.

(2) *Manufacture of industrial incandescent lighting fixtures.* On and after the 30th day of May 1943, no person shall put into process in the manufacture of an industrial incandescent lighting fixture

(i) Any ferrous metal sheet of a gauge heavier than 22 U. S. Standard, for such a fixture designed and constructed to use a bulb of 750 or more watts; or

(ii) Any ferrous metal sheet of a gauge heavier than 24 U. S. Standard, for such a fixture designed and constructed to use a bulb of less than 750 watts; or

(iii) Any ferrous metal for protective covering enveloping glass reflectors; or

(iv) Any ferrous metal for such a fixture designed and constructed to be detached in whole or in part, except

(a) For a heavy duty fixture so designed and constructed; or

(b) For a mechanical lowering hanger.

(3) *Manufacture of residential incandescent lighting fixtures.* On and after the 30th day of May 1943, no person shall manufacture or assemble a residential incandescent lighting fixture containing more than six (6) ounces of ferrous metal.

(4) *Manufacture of utility incandescent lighting fixtures.* On and after the

30th day of May 1943, no person shall without specific authorization of the War Production Board put into process in the manufacture of a utility incandescent lighting fixture any

(i) Ferrous metal globe holder exceeding six (6) inches in diameter; or

(ii) Ferrous metal canopy exceeding six (6) inches in diameter; or

(iii) Ferrous metal louver, shield, baffle, or reflector; or

(iv) Ferrous metal protective covering enveloping a glass reflector.

(c) *Exceptions.* The restrictions and limitations of this order shall not apply to the manufacture, assembly or sale of sockets or switches.

(d) *Sale and delivery of industrial or utility incandescent lighting fixtures.* On and after the 10th day of April 1943, notwithstanding any contract or agreement to the contrary, no person shall sell or deliver any new industrial or utility incandescent lighting fixture or new component part of such an incandescent lighting fixture (that is, which has never been used by an ultimate consumer) except that a person may:

(1) Sell or deliver an industrial or utility incandescent lighting fixture which fixture was wholly manufactured or assembled from component parts manufactured prior to March 31, 1943; or

(2) Sell or deliver a component part of an industrial or utility incandescent lighting fixture which component part was manufactured before March 31, 1943; or

(3) Sell or deliver an industrial or utility incandescent lighting fixture or component part pursuant to an order or contract bearing a preference rating of A-1-j or better; or

(4) Sell or deliver any component part of any industrial or utility incandescent lighting fixture for the purpose of maintenance or repair; or

(5) Deliver an industrial or utility incandescent lighting fixture or any component part of any industrial or utility incandescent lighting fixture to be used solely for the purposes of demonstration, test or storage of such industrial or utility incandescent lighting fixture or component part thereof; or

(6) Deliver an industrial or utility incandescent lighting fixture or component part thereof from one branch, division, or section of a single enterprise to another branch, division, or section of such enterprise.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations.* Any person who willfully violates any provision of this order,



or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal under the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of appeal.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(k) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(l) *Routing of correspondence.* Applications for authorization by the War Production Board under the provisions of this order shall be made by letter in triplicate, and such applications, reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C., Ref: L-212.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-4948; Filed, March 31, 1943;  
11:22 a. m.]

#### PART 1014—BURLAP AND BURLAP PRODUCTS

[Conservation Order M-47, as Amended  
March 29, 1943<sup>1</sup>]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of burlap for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1014.1 *Conservation Order M-47—*  
(a) *Definitions.* For the purpose of this order, unless the context otherwise requires:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

<sup>1</sup> This document is a restatement of Amendment 1 of M-47 which appeared in the FEDERAL REGISTER of March 30, 1943, page 3886, and reflects the document in its completed form as of March 29, 1943.

(2) "Burlap" means burlap of the Hessian cloth type, other than brattice cloth and linoleum cloth, which weighs more than six and not more than sixteen ounces per yard of cloth forty inches wide.

(3) "Importer" means any person who imported burlap during the year 1940, other than an importing bag manufacturer.

(4) "Importing bag manufacturer" means any person who imported burlap during the year 1940 and manufactured bags from such burlap.

(5) "Non-importing bag manufacturer" means a bag manufacturer who purchases burlap from an importer or an importing bag manufacturer and manufactures bags for sale or for his own use.

(6) "Pacific port" means any port on the Pacific coast of the United States or any inland port of entry for goods from other ports on the Pacific coast of North America.

(7) "North Atlantic port" means any port on the Atlantic coast of the United States, north of Wilmington, N. C., or any inland port of entry for goods from other ports on the North Atlantic coast of North America.

(8) "Gulf port" means any port on the Gulf coast of the United States, the port of Wilmington, N. C., and the ports on the Atlantic coast of the United States to the south thereof, or any inland port of entry for goods from other ports on the Gulf or South Atlantic coast of North America.

(9) "Agricultural bag" means a new textile bag, as defined in Textile Shipping Bags Conservation Order M-221, as amended from time to time, made of burlap.

(10) "Full bales unbroken" means bales not fully opened so that the content could not readily be restored to the same bale, and includes bales which have been sampled.

(11) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico or any other foreign country.

(b) *Stockpiling of imports.* (1) Any importer, importing bag manufacturer, or person importing burlap shall set aside two-thirds of each cargo of burlap imported by him into the continental United States, and shall not dispose thereof except as expressly directed by the War Production Board. The bales so set aside shall be lightweights, 7½ ounce to 9 ounce inclusive, to the extent available, and shall not include any bales known to be damaged, unless instructions to the contrary are given by the War Production Board.

(2) Any importer, importing bag manufacturer, or person who has set

aside burlap in accordance with the provisions of paragraph (b) (1) shall not deliver, sell, manufacture, process, use or otherwise release burlap from the quantity so set aside, without further authorization of the War Production Board, except in the following instances:

(i) To fill any order for burlap bearing a preference rating of A-1-c or higher assigned by a preference rating certificate on form PD-1A, PD-3A, PD-300 or PD-408 (but not a preference rating assigned in any other manner) expressly specifying burlap and issued directly to the person placing the order; and such person in applying the rating to his supplier, in addition to making the endorsement upon his purchase order as required, shall furnish to the supplier a photostatic copy (or another copy accompanied by his sworn statement that it is a true copy) of such preference rating certificate, together with a certificate manually signed by a duly authorized official that purchase orders for an amount in excess of the quantity of burlap delivery of which has been rated by such certificate have not been placed by him with any source of supply and rated under the said certificate. Reproduction of any preference rating certificate for the foregoing purposes is hereby permitted;

(ii) To fill any order placed by the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing: *Provided, however,* That the burlap so obtained shall not be disposed of except as specifically authorized by the War Production Board.

(c) *Restrictions on delivery or processing.* Except as provided in paragraphs (b) (2) and (h) (3), or upon express authorization of the War Production Board, no person shall knowingly sell, deliver or in any manner distribute, and no person shall purchase, accept delivery of or in any manner receive burlap for any use other than for the manufacture of agricultural bags, and no person shall process or use any burlap other than for the manufacture of agricultural bags. This prohibition against processing or use shall not apply to bales that were not full bales unbroken on December 22, 1941.

(d) *Quotas for importers and importing bag manufacturers.* (1) The quota of each importer or importing bag manufacturer out of each cargo of burlap imported to the continental United States (but excluding any amount in such cargo imported by the United States Government, the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, or any non-importing bag manufacturer) shall be an amount bearing the same ratio to the amount of such cargo as the average annual imports of such importer or importing bag manufacturer in the period



1935-1939, inclusive, through ports on the same coast—Pacific, North Atlantic or Gulf, as the case may be—bear to the average total imports of all importers and importing bag manufacturers through ports on the same coast in the same period; *Provided, however*, That whenever the War Production Board shall determine that there has been a substantial change in the relative amounts of cargoes discharged at Pacific, North Atlantic or Gulf ports as compared with the period 1935-1939, inclusive, he may make such adjustment as he deems appropriate by directing the distribution, in whole or in part, of any cargo or cargoes discharged at any port to importers or importing bag manufacturers not otherwise entitled to the same under the terms of this paragraph.

(2) Any importer or importing bag manufacturer not desiring to take up his quota out of any cargo may assign such quota, in whole or in part, to one or more importers or importing bag manufacturers in exchange for an equal yardage, without regard to constructions, out of the quotas with respect to expected future cargoes of such importers or importing bag manufacturers. Unused quotas, not so assigned, may be reallocated by the War Production Board.

(e) *Restrictions on importation.* (1) No person (other than the United States Government, the Board of Economic Warfare, the Defense Supplies Corporation, or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing, or a non-importing bag manufacturer) shall import burlap who did not import burlap in 1940.

(2) Any person securing shipping space for burlap in Calcutta or other point of shipment for import to the continental United States shall fill such shipping space with ten ounce constructions or heavier to the extent available.

(f) *Quotas for non-importing bag manufacturers.* (1) Each importer or importing bag manufacturer shall, out of his receipts of burlap (other than burlap stockpiled under paragraph (b)) make available to each non-importing bag manufacturer who purchased burlap from him during the years 1939 and 1940 the same percentage of burlap delivered by him to that non-importing bag manufacturer out of his total deliveries of burlap to all non-importing bag manufacturers during the years 1939 and 1940. This burlap shall be made available in each month, so far as practicable, and at regularly established prices and terms of sale or payment.

(2) No non-importing bag manufacturer may receive delivery from any importer or importing bag manufacturer of any burlap which will not be put into process by him for the manufacture of agricultural bags within sixty days after the receipt thereof. Each non-importing bag manufacturer shall certify to each importer or importing bag manufacturer from whom he receives delivery of burlap, as a condition to receiving such delivery, the following, on the purchase order for such burlap:

The undersigned hereby certifies that the burlap to be delivered to the undersigned pursuant to the above purchase order is needed by the undersigned to put into process for the manufacture of agricultural bags within sixty days after physical receipt thereof by the undersigned.

-----  
Name

Date ----- By -----  
(Authorized official)

(3) If, for any reason, a non-importing bag manufacturer does not take up all or part of his quota in any given month, the importer or importing bag manufacturer shall reallocate all or part of the unused quota among the non-importing bag manufacturers to whom such importer or importing bag manufacturer is obligated to furnish quotas. This reallocation shall be made as far as practicable in proportion to existing quotas and to the extent that such non-importing bag manufacturers are willing to participate. Unused quotas not reallocated in any month shall be reallocated in successive months until consumed.

(4) The term "non-importing bag manufacturer" for the purposes of this paragraph (f) shall include any importing bag manufacturer to the extent of his receipts of burlap from each importer or each importing bag manufacturer, or from himself to the extent of his burlap cut up into bags during 1939 and 1940.

(g) *Calculation of quotas.* Quotas of importers, importing bag manufacturers and non-importing bag manufacturers shall be calculated to the nearest twenty-five bales, except that any quota amounting to less than twenty-five bales shall be calculated to the nearest bale.

(h) *Damaged burlap.* (1) Burlap set aside for Government use shall be deemed damaged when rejected by a writing identifying the said burlap after inspection by a Government inspector. Burlap not set aside for the Government stockpile shall be deemed damaged when inspected and rejected as damaged by a writing identifying the said burlap by representatives of the insurance company or companies required to meet the claim because of the damage involved.

(2) Notwithstanding the provisions of paragraph (b) (2) burlap set aside for Government use deemed to be damaged, in the manner described in the foregoing paragraph, may be sold, delivered or distributed to, and purchased, received, processed or used by any importing or non-importing bag manufacturer for the manufacture of agricultural bags: *Provided, however*, That such burlap shall be computed in the quota of such importing or non-importing bag manufacturer.

(3) In the event that the extent of damage is such that at least two bag manufacturers have rejected all or any portion of the burlap found to be damaged in the manner described in subparagraph (1) hereof as unsuitable for use in the manufacture of agricultural bags after an inspection thereof by their representatives, who shall not be persons connected with the persons offering such burlap, any person entitled to sell such

burlap may sell the same free and clear of the restrictions of this order: *Provided, however*, That every such person shall make and file the following certificate with the War Production Board on or before the third business day following such sale:

The undersigned hereby certifies to the War Production Board that ----- bales of ----- burlap ex(ship) ----- bale nos. ----- which arrived at (port) ----- on (date) ----- have been rejected as damaged by (insurance company representative or Government inspecting officer), as evidenced by his attached certificate.

This burlap has been offered to (names of not less than two bag manufacturers) and has been rejected by them as unsuitable for use in the manufacture of agricultural bags as evidenced by their attached certificates.

-----  
(Name of seller)

Date ----- By -----  
(Authorized signature)

The certificates of rejecting bag manufacturers shall be in substantially the following form:

The undersigned hereby certifies to the War Production Board that the undersigned is a bag manufacturer, that the undersigned has been offered by (name of seller) a lot of ----- bales of ----- burlap ex ----- bale nos. ----- deemed to be damaged and that after inspection thereof by our representatives, who are not persons connected with the persons offering such burlap, we have rejected the said burlap as unsuitable for use in the manufacture of agricultural bags as to bales nos. -----

(i) *Adjustments and appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may apply for relief to the War Production Board by telegram or letter setting forth the pertinent facts and the reason such person considers that he is entitled to relief.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(k) *Reports and communications.* (1) Each importer, importing bag manufacturer and non-importing bag manufacturer shall file with the War Production Board on form PD-188 a monthly report of his inventories, receipts and deliveries of burlap.

(2) Each person participating in any transaction involving burlap shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(3) All reports required to be filed under, and all communications concerning, this order shall be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-47.

(l) *Records and inspection.* (1) Each person participating in any transaction involving burlap shall keep and preserve for a period of not less than two years



accurate and complete records of his transactions therein, and his production, sales and inventories thereof.

(2) All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 29th day of March 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-4971; Filed, March 31, 1943;  
4:07 p. m.]

**PART 976—MOTOR TRUCKS, TRUCK TRAILERS  
AND PASSENGER CARRIERS**

[Amendment 1 to Limitation Order L-1-h as  
Amended January 7, 1943]

Section 976.18 *Limitation Order L-1-h* as amended January 7, 1943 [8 F.R. 311] is amended as follows:

Paragraph (c) *Production of heavy trucks authorized* is hereby amended to read as follows:

(c) *Production of heavy trucks authorized.* Irrespective of the terms of General Limitation Order L-1-e, as amended, and in order to replace 3017 heavy trucks withdrawn prior to December 31, 1942 by the Army, Navy and Lend-Lease Administration from stocks intended for rationing to civilian uses under General Conservation Order M-100, producers are hereby authorized to produce heavy trucks in such quantities, of such types and within such periods of time as may be specifically authorized by the War Production Board.

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5005; Filed, March 31, 1943;  
5:10 p. m.]

**PART 944—REGULATIONS APPLICABLE TO THE  
OPERATION OF THE PRIORITIES SYSTEM**

[Priorities Regulation 11A as Amended  
April 1, 1943]

**PRP FOR SECOND QUARTER OF 1943**

§ 944.32A *Priorities Regulation 11A—*  
(a) *Purpose.* The Second Quarter of 1943 is the transition period from the Production Requirements Plan to the Controlled Materials Plan. In order to insure the receipt of materials by manu-

facturers during the transitional period, authorizations will be made under the Production Requirements Plan and under the Controlled Materials Plan. Preference ratings will be authorized under PRP as provided herein and in addition, most manufacturers will receive allotments under the Controlled Materials Plan. It is therefore essential that the utmost care be observed by manufacturers not to duplicate their orders for materials under both authorizations, and it is the purpose of this regulation to provide priorities assistance to PRP Units during this transition period and to require reductions in PRP authorizations or CMP allotments to the extent necessary to eliminate duplication.

(b) *Definitions.* (1) The definitions contained in Priorities Regulation No. 11 and CMP Regulation No. 1 shall apply to this regulation.

(2) "PRP rating" means any preference rating which a PRP Unit is entitled to apply pursuant to authorizations on a PRP certificate or pursuant to paragraph (c) of this regulation.

(3) "First quarter production material rating" means a preference rating assigned to a PRP Unit for production materials (as distinguished from supplies as defined in Priorities Regulation No. 11) on its PRP certificates for the first quarter of 1943.

(4) "CMP rating" means a preference rating which a person is authorized to apply or extend under the Controlled Materials Plan.

(5) "Listed production material" means any listed material, as defined in Priorities Regulation No. 11, which constitutes production material as defined therein.

(6) For the purposes of this regulation, any person who is a PRP Unit as of March 31, 1943, shall continue to be deemed a PRP Unit through June 30, 1943, or until such time as he ceases entirely to operate under the Production Requirements Plan.

(c) *Assignment of ratings to production materials.* Subject to the restrictions contained in paragraph (d) of this Regulation:

(1) Each PRP Unit may apply its first quarter production material ratings to the delivery to it of not more than 40% during April, 1943, nor 70% during the entire second quarter of 1943 of the total amount of each listed material which was authorized on its first quarter PD-25A certificate and on any first quarter PD-25F certificates issued prior to March 1, 1943, such percentages to be applied after deducting from such total the amount of each such material received or scheduled to be received during said first quarter for supplies.

(2) In addition, unless otherwise specifically directed by the War Production Board by March 31, 1943, each PRP Unit may, during the second quarter of 1943, apply its first quarter production material ratings to deliveries in the quarter of the remaining 30% of said authorized quantities of listed production materials, computed as provided in subparagraph (1) of this paragraph (c).

(3) Each PRP Unit may apply its first quarter production material ratings to the delivery during the second quarter of 1943 of production materials (including listed fabricated items) other than listed materials, but only (i) in the quantities and at the rate necessary to maintain the production schedules permitted by the quantities of listed materials it is authorized to receive as a PRP Unit, or (ii) in the quantities authorized by its first quarter PD-25A and PD-25F certificates, after deducting from such quantities the amount of each material received or scheduled to be received during said first quarter for supplies, whichever of said (i) or (ii) is greater, subject, however, to the inventory restrictions of Priorities Regulation No. 1.

(4) CMP Ratings may be applied or extended as provided in CMP Regulation No. 3.

(d) *Elimination of duplications under PRP and CMP—*(1) *Controlled materials.* If a PRP Unit receives an allotment of controlled material under CMP, to the delivery of which it is authorized to apply PRP ratings under paragraph (c) of this regulation, it must reduce the amount to which it applies such PRP ratings by the amount of such material which it obtains for its own use by means of the allotment, but need not, unless it included the requirements of secondary consumers in its first quarter PRP application, deduct the portion thereof which it allots to its secondary consumers producing Class A products for it. If, at the time of receiving its allotment, it has already received by use of the PRP rating or otherwise any or all its requirements of controlled material for the production schedule for which the allotment is made, or elects to obtain the same by PRP rating, it must reduce or cancel the allotment as provided in paragraph (v) of CMP Regulation No. 1.

(2) *Other materials and fabricated items.* If a PRP Unit is authorized to apply a CMP rating to the same material (other than a controlled material) or fabricated item to which it is authorized to apply a PRP rating for delivery during the second quarter, it may apply either rating to the quantity authorized therefor, but may not apply ratings under both authorizations to more than is covered by the greater of the two authorizations.

(e) *Quantitative restrictions as to receipt of listed production materials.* No PRP Unit shall accept delivery during the second quarter of 1943 of any listed production material in excess of the amount thereof to which it is entitled to apply preference ratings pursuant to the provisions of paragraph (c) of this regulation, except that a PRP Unit may accept deliveries of:

(1) Any materials to the extent that it is permitted by paragraph (e) of Priorities Regulation No. 11 to accept deliveries in excess of the amounts authorized on its PRP certificates.



(2) Aluminum, magnesium, alloy steel (including stainless steel), and copper, in the forms specified in Materials List No. 1 Revised accompanying the first quarter Form PD-25A, in quantities approved for delivery to the PRP Unit by the Aluminum and Magnesium Division, the Steel Division or the Copper Division, respectively.

(3) Listed production materials to the extent required to meet a production schedule authorized under the Controlled Materials Plan.

(f) *Quantitative restrictions as to receipt of other materials and products.* A PRP Unit may receive during the second quarter of 1943 production materials in the form of fabricated items (whether listed or not) and in the form of materials other than listed materials, in the amounts to which it is entitled to apply preference ratings under paragraph (c) (3) of this regulation or in the amounts required to meet a production schedule authorized under the Controlled Materials Plan.

(g) *Advance quarter authorizations.* A PRP Unit which has received, on a PRP certificate for the first quarter of 1943, an advance quarter authorization for the second quarter of 1943 may, as to any particular material, elect to use the ratings thereby authorized for the amounts therein specified in lieu of the ratings and amounts permitted by paragraphs (c) and (d) of this regulation. A PRP Unit which has placed rated purchase orders for delivery in the third quarter of 1943, or any subsequent quarter, pursuant to an advance quarter authorization on a PRP certificate, need not cancel or re-rate the same, except as otherwise expressly provided in any regulation or order of the War Production Board, and may receive delivery of the materials or fabricated items covered by such purchase orders, subject to any applicable regulations or orders of the War Production Board.

(h) *Maintenance, repair and operating supplies.* A PRP Unit may, prior to the third business day after the date of issuance of CMP Regulation No. 5, apply to the delivery to it of supplies (as defined in Priorities Regulation No. 11) during the second quarter of 1943 the same ratings authorized on its PRP certificates for the first quarter of 1943, in amounts not exceeding the amounts of such supplies actually received or scheduled for receipt during the first quarter. After said third business day, a PRP Unit may apply to maintenance, repair and operating supplies as defined in CMP Regulation No. 5 only the ratings and only to the amounts authorized by said regulation and may re-rate deliveries previously rated pursuant to this paragraph (h).

(i) *PD-25F applications.* A PRP Unit which finds that the authorizations provided by this regulation and by the Controlled Materials Plan are insufficient to cover the quantities of materials required during the second quarter for essential production may file an application on Form PD-25F for an increased authorization. Such authorizations will not be granted to consumers of controlled materials unless it appears that

allotments under the Controlled Materials Plan will not be received in time to obtain the materials required for the production contemplated under the Plan.

(j) *Applicability of Priorities Regulation 12.* Wherever a rating is applied pursuant to the provisions of this regulation to a delivery to which another rating has previously been applied, such rerating shall be effected in the manner provided in paragraphs (g) and (h) of Priorities Regulation 12 and subject to the limitations contained in paragraph (i) of said regulation.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5045; Filed, April 1, 1943;  
11:38 a. m.]

#### PART 962—IRON AND STEEL

[General Preference Order M-21 as Amended  
April 1, 1943]

Whereas the national defense requirements have created a shortage of steel, as hereinafter defined, for defense, for private account, and for export and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 962.1 *General Preference Order M-21—(a) Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 as amended from time to time, except to the extent that any provision thereof may be inconsistent herewith, in which case the provisions of this order shall govern.

(b) *Definitions.* For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes indicated in the CMP Materials List, and also carbon and alloy steel forgings.

(2) "Iron products" means cast iron pipe and all other iron castings, gray and malleable (rough as cast), including all items of ferrous foundry manufacture not classified as steel.

(3) "Producer" means any person who produces steel or iron products.

(c) *Purchasers' statements.* (1) The filing of form PD-73 is not required with orders for steel for delivery on or after June 1, 1942, or with orders for iron products. On orders for steel for delivery on or before May 31, 1942, form PD-73 shall be filed as heretofore.

(2) Except as permitted by this paragraph (c), on and after June 1, 1942, no producer shall accept an order for steel or iron products from or deliver steel or iron products to any person unless such person has endorsed on his purchase or-

der a statement in the following form, signed by an official duly authorized for such purpose, specifying the name of the appropriate group classification as described in Schedule A hereto, and no purchase order shall include material for more than a single group classification:

The undersigned certifies to the producer and to the War Production Board that the material ordered herein is to fill orders in group classification \_\_\_\_\_

\_\_\_\_\_  
Name of Purchaser

\_\_\_\_\_  
Authorized Official

\_\_\_\_\_  
Title

(3) Except for orders in group classifications, lend-lease, other export, and warehouse, on orders placed on or before May 31, 1942, with deliveries to be made after that date, a purchaser's statement in the above form must be filed with the producer on or before May 31, 1942, together with a description of the purchase orders to which each such statement applies.

(4) On export sales (except lend-lease sales and sales to purchasers in the Dominion of Canada) the purchaser's statement may be furnished by the accredited agent of the purchaser or by the export division of the producer.

(5) On shipments by a producer direct to the customer of a warehouse the purchaser's statement shall be furnished to the producer by the customer and not by the warehouse.

(6) In all cases where the purchase order can be identified by a Controlled Materials Plan allotment number or symbol, such allotment number or symbol shall accompany the purchase order, in lieu of the purchaser's statement above described.

(d) *Producers' reports.* Each producer shall file with the War Production Board, Washington, D. C., Reference: M-21, reports at such times and on such forms as may from time to time be prescribed.

(e) *Restriction on deliveries.* No person shall deliver steel or iron products except:

(1) Any person may make delivery on an authorized controlled material order.

(2) Prior to July 1, 1943, any person may make delivery on orders bearing a preference rating of A-10 or higher.

(3) Distributors may make delivery to the extent permitted by the provisions of CMP Regulation No. 4, as from time to time amended.

(4) Any person may make delivery as permitted by the provisions of Priorities Regulation No. 13, as from time to time amended.

(5) Any person may make a delivery specifically authorized or directed by the War Production Board.

(f) *Specific directions.* The War Production Board may from time to time issue specific directions to any person or persons as to the type, description,



amount, source, or destination of steel or iron products to be produced, delivered, or acquired by such person or persons.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A—GROUP CLASSIFICATIONS

**Army.** Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to the War Department (including the Panama Canal), including construction and maintenance of plants owned by the War Department.

**Navy.** Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to the Navy Department (including the Marine Corps and Coast Guard), including construction and maintenance of plants owned by the Navy Department.

**Maritime.** Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to the Maritime Commission, or to commercial shipyards (CSY) for ship repair under the supervision of the Coordinator for Ship Repair and Conversion, including construction and maintenance of plants owned by the Maritime Commission.

**Defense Projects.** Orders for steel and iron products for construction and maintenance of defense plants or projects under preference ratings, including, but not limited to, ratings assigned by preference rating orders in the P-19 series, and not included in other classifications.

**Lend-Lease.** Orders for steel and iron products for export on lend-lease contracts placed by any U. S. government agency, identified by the symbol "DA" on the order form.

**Other Export.** Orders for steel and iron products for export (except to U. S. possessions and off-shore bases), not included in the Lend-Lease classification.

**Railroad.** Orders for steel and iron products to be delivered, or physically incorporated into material to be delivered, to U. S. railroads.

**Warehouse.** Orders for steel and iron products for warehouses for resale (except CSY orders).

**All Other.** Other orders for steel and iron products which cannot be identified under any of the preceding classifications.

#### INTERPRETATION 1

The terms "steel" and "iron products" as defined in General Preference Order M-21, as amended (§ 962.1), do not include salvaged or used materials. (Issued September 2, 1942.)

[F. R. Doc. 43-5046; Filed, April 1, 1943; 11:38 a. m.]

#### PART 962—IRON AND STEEL

[Revocation of Supplementary Order M-21-b]

##### WAREHOUSES AND DEALERS

Section 962.3 *Supplementary Order M-21-b* is hereby revoked.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5047; Filed, April 1, 1943; 11:39 a. m.]

#### PART 962—IRON AND STEEL

[General Preference Order M-21-b-2]

##### MERCHANT TRADE PRODUCTS WAREHOUSES AND DEALERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 962.11 *General Preference Order M-21-b-2—(a) Purpose and scope.* This order tells how, under the Controlled Materials Plan, a distributor obtains deliveries of merchant trade products from producers and from other persons for stock or for delivery direct to a distributor's customers. The method by which a distributor obtains deliveries of general steel products is set forth in General Preference Order M-21-b-1. Deliveries of steel from stock by distributors to persons not purchasing for resale are governed by CMP Regulation No. 4. Deliveries by distributors to other distributors are governed by this order and not by CMP Regulation No. 4.

(b) *Definitions.* For the purposes of this order:

(1) "Steel" means carbon steel, alloy steel and wrought iron, in each case only in the forms and shapes indicated in the CMP Materials List.

(2) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 0.60%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "Merchant trade products" means any of the steel products listed in Schedule I hereto.

(5) "Product group" means any of the twelve numbered groups of merchant trade products listed in Schedule I hereto.

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy steel.

(7) "Base period" means

(i) With respect to merchant trade products in product groups 17-22, inclusive, of Schedule I, the calendar year 1940.

(ii) With respect to merchant trade products in product groups 23-28, inclusive, of Schedule I, the 12 months ending June 30, 1941.

(8) "Base tonnage" of a warehouse for any product group means the tonnage of such product group delivered by producers to the stock of such warehouse during the base period, or as specifically otherwise established by the War Production Board.

(9) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer, who is engaged in the business of receiving steel for sale or resale and who does not process the material so sold otherwise than by performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, or pipe threading; but a person who, in connection with any sale, forms, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(10) "Warehouse" means a distributor who receives physical delivery of merchant trade products from a producer for sale or resale in the form received, and who was engaged in the business of distributing steel from stock on August 9, 1941. The term does not include any pipe, sheet, or wire fabricator unless his sales from stock during 1940 of merchant trade products in the form received represented at least 25 percent of the total tonnage of merchant trade products received by him in that year. If a warehouse maintains a stock at more than one location, each location shall be deemed a separate warehouse.

(11) "Dealer" means a distributor (other than a warehouse) who receives physical delivery of merchant trade products from persons other than producers for sale or resale in the form received.

(12) "Delivery" includes deliveries received on consignment.

(c) *General restrictions on placing orders by warehouses—(1) Product groups and types to be ordered.* No warehouse shall order or accept delivery to warehouse stock of merchant trade products in any product group and type except those for which it has a base tonnage with a producer pursuant to this order.

(2) *Quantity restrictions on prime quality material.* No warehouse which, during 1940, purchased more than 25 percent of its tonnage of any product group in a grade now invoiced as less than prime quality may order for delivery to warehouse stock during any calendar quarter, prime quality steel products (requiring scheduled rollings) of the same product group from all producers in an amount greater than one-fourth of the total tonnage of such prime quality material purchased from all producers during 1940.

(d) *Warehouse orders for certain wire and sheet products.* The following rules apply to deliveries to warehouse stock of products in product groups 22, 26, 27 and 28:

(1) A warehouse shall not accept delivery of any product in these product groups from any producer (and a producer shall not deliver such products to a warehouse) unless the warehouse has a base tonnage for that product group with that producer. By the use of form PD-83-e, a warehouse may shift its total base tonnage for any of these product groups from one producer to another.



(2) Deliveries from a producer of any of these product groups to a warehouse stock shall be made only up to the following percentages of the base tonnage of the warehouse with the producer:

Product group	(Beginning January 1, 1943)	
	During any calendar half year	During any calendar year
22. Galvanized or painted formed roofing and siding.....	Percent 50	Percent 60
26. Wire bale ties.....	100	160
27. Wire (barbed and twisted), wire fence (woven or welded), and netting.....	100	120
28. Fence posts and gates.....	100	120

Warehouse orders for these products shall not be considered authorized controlled material orders, unless accompanied by Form CMP-11 in the manner provided for in paragraph (d) (3). Nevertheless (and in spite of the provisions of any other WPB regulation or order), a producer may, in any month, within the limits of his production directive for the particular product group, make delivery of these products to warehouses on orders which are not authorized controlled material orders, after he has filled all authorized controlled material orders for the same product group calling for delivery in the same month. Deliveries on warehouse purchase orders of this sort shall be distributed by the producer among the warehouses which have a base tonnage with it as nearly as possible in proportion to the base tonnage of each warehouse with that producer.

(3) If a warehouse wishes to obtain earlier delivery on an order placed in accordance with paragraph (d) (2) it may give any such order the status of an authorized controlled material order by filing with the producer a copy of Form CMP-11 to support such purchase order. On this form the warehouse may report only the tonnage of any merchant trade products which it delivered during the preceding 90 days on authorized controlled material orders bearing definite allotment numbers issued by claimant agencies or on orders rated AA-5 or higher.

(e) *Warehouse orders for all other merchant trade products.* The following rules apply to deliveries to warehouse stock of products in product groups, 17, 18, 19, 20, 21, 23, 24 and 25:

(1) For most of these products, each producer operates under a warehouse load directive which instructs it to reserve each month a certain percentage of its production of each product group to fill warehouse orders. The orders of any warehouse on a producer up to this percentage of its base tonnage with that producer shall be considered authorized controlled material orders. A warehouse can place orders of this sort only with producers with which it has a base tonnage. No form is required for placing such orders. By the use of Form PD-83-e a warehouse can shift its total base tonnage for any of these product groups from one producer to another.

(2) In addition, a warehouse may replace in stock, without limit as to quantity, merchant trade products of the same type (carbon, stainless, or other alloy) which it has sold during the preceding 90 days on authorized controlled material orders bearing definite allotment numbers issued by claimant agencies or orders rated AA-5 or higher. Form CMP-11 will be used for this purpose. Orders of this sort can be placed with any producer and will be considered authorized controlled material orders.

(f) *Time for placing orders.* Orders for all merchant trade products requiring scheduled rollings shall specify delivery, in the case of carbon steel, not earlier than the month following the date of order entry, and, in the case of alloy steel, not earlier than the month 105 days following the date of order entry. Orders for such material not requiring scheduled rollings (such as rejects, wasters, waste wasters, and shorts) may specify delivery at any time.

(g) *Alternative use of Form PD-83-g.* Up to July 1, 1943, Form PD-83-g may be used instead of Form CMP-11 to extend allotment numbers of specific claimant agencies or orders rated AA-5 or higher. Each order placed by a warehouse with a producer for delivery to warehouse stock and supported by Form CMP-11 or Form PD-83-g shall be deemed an authorized controlled material order.

(h) *Restrictions on inventories.* On and after July 1, 1943, no warehouse whose base tonnage of pipe (product groups 17 to 19), tin and terne plate (product group 20), galvanized or painted sheets (product groups 21 to 22), or wire products (product groups 23 to 28) exceeds 240 net tons shall accept a delivery of steel in any product group and type which will result in an inventory at the end of a calendar quarter greater than one-half its base tonnage for such product group and type.

(i) *Purchases from idle or excess inventories.* A warehouse or dealer may order for delivery to its stock, without limitation as to quantity, from idle or excess inventories pursuant to Priorities Regulation No. 13, merchant trade products in any product group and type for which such warehouse has a base tonnage. Each purchase order for such material shall be endorsed in substantially the following form, and when so endorsed shall be deemed to be an authorized controlled material order:

The undersigned certifies to the seller and to the War Production Board that this order is placed pursuant to paragraph (i) of Order M-21-b-2, and is an authorized controlled material order.

-----  
Name of Warehouse or Dealer  
By-----  
Authorized Official  
-----  
Address  
-----  
Date

(j) *Warehouse purchases for direct shipment to customer.* A warehouse receiving an authorized controlled material order for a customer and wishing to arrange for shipment direct to such customer by the producer or other supplier, shall specify delivery to a point other

than the warehouse, and shall copy on its own purchase order the endorsement made to it by its customer (including the customer's name) in accordance with CMP Regulation No. 1 or other applicable regulation or order. A purchase order specifying direct shipment and so endorsed shall be deemed an authorized controlled material order.

(k) *Earmarked warehouse stocks.* To the extent agreed upon by the Steel Division and any claimant agency, an earmarked stock of one or more merchant trade products may be established in any warehouse. Deliveries to such stock and withdrawals therefrom shall be made only in accordance with the specific directions which shall be issued at the time such stock is established.

(l) *Deliveries to dealers.* Dealers obtain deliveries of merchant trade products to stock in the following ways:

(1) *Steel delivered on allotment numbers (or on orders rated AA-5 or higher).* Merchant trade products which a dealer has delivered on definite allotment numbers of particular claimant agencies (or on orders rated AA-5 or higher) within the previous 90 days may be replaced with an equivalent tonnage of the same or any other merchant trade product by sending to a supplier with the purchase order a list of such deliveries showing for each the weight delivered, the allotment number (or preference rating), and the date of delivery. Such a purchase order is an authorized controlled material order. The warehouse, for the purposes of paragraphs (d) (3) and (e) (2), is entitled to use deliveries on these orders to support replacement orders filed with Form CMP-11.

(2) *Other deliveries.* In addition, a dealer may place orders for merchant trade products with warehouses without limit as to quantity. Such orders shall not be considered authorized controlled material orders. Nevertheless (and in spite of the provisions of any other War Production Board regulation or order) a warehouse may make delivery on such orders.

(m) *Reports.* (1) Each warehouse whose base tonnage of pipe (product groups 17 to 19), tin and terne plate (product group 20), galvanized or painted sheets (product groups 21 to 22), or wire products (product group, 23 to 28) exceeds 240 net tons shall file with the Bureau of the Census, Washington, D. C., a quarterly report in duplicate on Form PD-83-i.

(2) Each producer of a product for which a warehouse load has been established shall file quarterly reports with the War Production Board on Form PD-83-f.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(o) *Communications to War Production Board.* All appeals or other communications concerning this order shall be addressed to the Warehouse Branch, Steel Division, War Production Board, Washington, D. C., Reference: M-21-b-2.



(p) *Violations.* Any warehouse, dealer, or other person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I.—MERCHANT TRADE PRODUCTS

Product group	Types of steel included		
	Carbon	Stainless	Other alloy
17. Standard merchant and line pipe.....	x		
18. Oil country casing, tubing and drill pipe.....	x		
19. Wrought iron pipe.....	x		
20. Tin plate and terneplate (short ternes).....	x		
21. Galvanized sheets (flat sheets only).....	x		
22. Galvanized or painted formed roofing and siding.....	x		
23. Nails (cut and wire), and fence and netting staples.....	x		
24. Wire rope and strand.....	x		
25. Wire, drawn.....	x	x	x
26. Wire bale ties.....	x		
27. Wire (barbed and twisted), wire fence (woven or welded), and netting.....	x		
28. Fence posts and gates.....	x		

[F. R. Doc. 43-5048; Filed, April 1, 1943; 11:38 a. m.]

#### PART 1049—INCANDESCENT, FLUORESCENT AND OTHER ELECTRIC DISCHARGE LAMPS

[Amendment 1 to Supplementary Limitation Order L-28-a]

Section 1049.2 *Supplementary General Limitation Order L-28-a* is amended by deleting the words, "On and after November 1, 1942," from paragraph (b) (1) of Order L-28-a, and by inserting in lieu thereof the words, "Except pursuant to specific authorization of the War Production Board."

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5049; Filed, April 1, 1943; 11:38 a. m.]

#### PART 1095—COMMUNICATIONS

[Revocation of Preference Rating Order P-130, as Amended]

Preference Rating Order P-130, as amended (§ 1095.3) is hereby revoked

and shall be superseded by Utilities Order U-3.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5050; Filed, April 1, 1943; 11:39 a. m.]

#### PART 1095—COMMUNICATIONS

[Revocation of General Conservation Order L-148 as Amended]

General Conservation Order L-148, as amended (§ 1095.4) is hereby revoked and shall be superseded by Utilities Order U-5.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5051; Filed, April 1, 1943; 11:38 a. m.]

#### PART 1095—COMMUNICATIONS

[Revocation of Preference Rating Order P-132]

§ 1095.15 *Preference Rating Order P-132.* Preference Rating Order P-132 is hereby revoked and shall be superseded by Utilities Order U-4.

Issued this first day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5052; Filed, April 1, 1943; 11:39 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Direction 1 under CMP Regulation 2]

##### COMMUNICATIONS

§ 3175.101 *Inventory Direction No. 1.* Pursuant to paragraph (b) (2) of CMP Regulation 2, It is hereby ordered, That:

In the case of any "operator" as defined in and who is subject to the provisions of Utilities Order U-3, as amended from time to time, the provisions of paragraph (b) (1) of CMP Regulation 2 shall not apply and, in lieu thereof, such operator shall be subject to the inventory limitations contained in Utilities Order U-3. All other provisions of CMP Regulation 2 shall remain applicable to such operator except that appeals under paragraph (j) and communications under paragraph (k) (2) shall be addressed to War Production Board, Communications Division, Washington, D. C.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5053; Filed, April 1, 1943; 11:39 a. m.]

#### PART 3225—CALCIUM METAL

[General Preference Order M-303]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of calcium metal for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3225.1 *General Preference Order M-303—(a) Definitions.* (1) "Calcium metal" means any product containing the element calcium not in chemical combination, and in which any metallic constituents other than calcium do not constitute more than 15 per cent, by weight.

(2) "Producer" means any person engaged in the production of calcium metal, and includes any person who imports calcium metal or has calcium metal produced for him pursuant to toll agreement.

(3) "Distributor" means any person (other than an importer) who purchases calcium metal for the purpose of resale.

(b) *Restrictions on deliveries and use.*

(1) On and after April 1, 1943, no person shall deliver, accept delivery of, or use calcium metal, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries or use in each calendar month will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time at its discretion issue directions with respect to deliveries to be made or accepted, or with respect to use or uses which may or may not be made of calcium metal to be delivered or then on hand. Such authorizations or directions may be made by the War Production Board without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to use or accept delivery of calcium metal shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the War Production Board. Calcium metal allocated for inventory shall not be used except as specifically directed by the War Production Board.

(4) Calcium metal allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though allocated therefor.

(c) *Application and reports.* (1) Each person seeking authorization to accept delivery of, or to use calcium metal during any calendar month beginning with May, 1943, whether for his own consumption or resale, shall file application therefor on or before the 15th day of the preceding month. Applications respecting acceptance of delivery or use in April, 1943, shall be filed as many days as possible in advance of the desired date of acceptance or use. In any case, such application shall be made on Form PD-600, in the manner prescribed



therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-303, one forwarded to the producer or distributor with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy will be sent to the producer or distributor.

(iii) In the heading, under "Name of chemical", specify "Calcium metal"; under "WPB Order No.", specify "M-303"; under "Indicate unit of measure", specify "pounds".

(iv) In heading at top of Table I, specify the month and year for which authorization for acceptance of delivery or use is sought.

(v) In Columns 1, 11 and 19, specify grades; for example, carrots, castings, turnings, sublimed.

(vi) In Columns 3, 20 and 22 (Primary product), applicant will specify the product or products in the manufacture or preparation of which he will use calcium metal in terms of the following:

Magnesium castings.  
Stainless steel alloys.  
Special alloys.  
Zirconium.  
Other metals (specify).  
Chemicals (specify).  
Other products (specify).  
Resale (as calcium metal).  
Inventory (as calcium metal).

(vii) In Column 4 (Product end use), applicant will specify with respect to each primary product the ultimate use to which such primary product will be put. For example, if the "primary product" called for in Column 3 is "magnesium castings", the ultimate use might be "airplane engines". Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. If application is for calcium metal for resale or for inventory, leave Column 4 blank.

(2) Each producer or distributor seeking authorization to make delivery of calcium metal during any month, beginning with May, 1943, shall file application therefor on or before the 20th day of the preceding month. Applications respecting delivery in April, 1943, shall be filed as many days as possible in advance of the desired delivery date. Such applications shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-303, the

fourth to be retained by the producer or distributor.

(iii) Each producer who has filed application on Form PD-600 specifying himself as his supplier, shall list his own name as customer on Form PD-601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading, under "Name of chemical", specify "Calcium metal"; under "WPB Order No.", specify "M-303"; under "This schedule is for deliveries to be made during the month of \_\_\_\_\_", specify month and year during which deliveries covered by application are to be made; under "Indicate unit of measure", specify "pounds".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(vi) In Columns 3 and 8, producer or distributor will specify grades as indicated in the Forms PD-600 filed with him by his customers.

(vii) The producer or distributor may, if he wishes, leave Column 5 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(d) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Notification of customers*. Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(3) *Violations*. Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M-303.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5054; Filed, April 1, 1943;  
11:39 a. m.]

Subchapter C—Director, Office of War Utilities  
PART 4500—ELECTRIC, GAS, WATER, AND  
STEAM UTILITIES—MATERIALS  
[Supplementary Utilities Order U-1-e]

#### VICTORY GARDENS

§ 4500.6 *Supplementary Utilities Order U-1-e*. Notwithstanding the provisions of paragraph (h) of Utilities Order U-1, water service extensions of not more than 250 feet (including any portion built by or for the consumer) may be made or connected by producers to provide water for gardens: *Provided*, That all of the following conditions are satisfied:

(a) There is no alternative source of water which would require less critical material.

(b) Water from each such extension will be used to provide water for not less than 5,000 square feet of land devoted to the production of edible crops.

(c) Extensions are made with not more than 5 feet of pipe for each 500 square feet of cultivated land.

(d) Pipe of the smallest practicable size, and in no event having a nominal inside diameter greater than 1¼", is used.

(e) No copper or copper base alloy pipe or tubing is used.

(f) No extension or enlargement of mains is required.

(g) The consumer agrees in writing with the producer that his use of water for the purposes of this supplementary order will be subject to rules promulgated by the producer in the interest of water conservation, including requirements for off-peak usage and interruption of service during periods of water shortage.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of March 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-4951; Filed, March 31, 1943;  
11:22 a. m.]

#### PART 4502—COMMUNICATIONS

[Utilities Order U-3<sup>1</sup>]

§ 4502.1 *Utilities Order U-3*—(a) *Definitions*. For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States and any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service (and such telegraph and teletypewriter service as may also be

<sup>1</sup> Preference Rating Order P-130 has been revoked and is superseded by this order.



conducted by him), within, to, or from the United States, its territories or possessions.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design.

(4) "Operating supplies" means any material (other than that used for maintenance and repair and items listed on Schedule A) which is essential to and used in the operation of communication services by an operator: *Provided*, That such use is permitted under the provisions of Utilities Order U-2, as amended from time to time, and conforms to the limitations set forth in paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) hereof. The term shall also include such items as hand tools, customarily purchased by the employer-operator for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge.

(5) "Operator's inventory of material" shall include all items of new and/or salvaged material and supplies on hand, whether held for current use or for sale as junk, until physically incorporated into plant by way of maintenance, repair, construction or otherwise, and without regard to whether or not such items of material are carried in the operator's accounting records under "Material and Supplies Account". "Operator's inventory of material" shall not include:

(i) Any surplus material listed by the operator for sale on Form UF-6, and filed with the Communications Division, Office of War Utilities as required by said form. Each item of such surplus material shall be identified by the operator for sale to operators for use for maintenance, repair, construction or operating supplies. Records of withdrawals from and additions to such surplus equipment shall be maintained and preserved as provided in paragraph (g) hereof, and shall be reported to the Communications Division upon the request of the War Production Board.

(ii) Any material identified for use on projects which have been specifically authorized by the Director General for Operations of the War Production Board or the War Production Board upon application by an operator.

(iii) Any operating supplies which are in the process of being consumed by an operator.

(iv) Any material (other than material ordinarily carried in stock for the day-to-day operations and for emergency repairs) which is, or has been, set aside in a reserve to restore plant damaged by enemy action or sabotage provided that authorization is or has been granted by the Director General for Operations of the War Production Board or the War Production Board, upon application of an operator made on Form PD-200. Any material withdrawn from such reserve shall be used only for the restoration of plant damaged by enemy action or sabotage and such use shall be reported by letter to the Office of War Utilities within thirty days after such withdrawal.

(v) Any stock of lead covered cable or bare line wire maintained by an operator for the repair of major breakdowns of his existing facilities due to storms, floods, etc., reported as prescribed on Form UF-5 unless disapproved by the Office of War Utilities.

(vi) Poles; crossarms; insulators; non-metallic conduit; furniture and office equipment; printing, stationery and office supplies; house service supplies; and, coal and petroleum products.

(b) *Preference ratings, CMP allotment symbol MRO-U—(1) Assignment of ratings.* Subject to the terms of this order operators are assigned the following preference ratings:

(i) AA-1 for deliveries to an operator, of materials, other than controlled materials, required for maintenance, repair, and operating supplies;

(ii) For deliveries to an operator, of materials, other than controlled materials, for the construction of facilities necessary to serve such defense projects as may be authorized pursuant to Preference Rating Order P-19-h, bearing a rating of AA-5 or better, the same rating as is assigned to such defense project; except that where such project is assigned two or more ratings and both or all of these are AA-5 or better such deliveries to an operator are assigned the lowest rating which is assigned to such defense projects.

Before applying the preference rating assigned by this paragraph (b) (1) (ii), however, an operator shall first file Form PD-685 with the Communications Division, Office of War Utilities, setting forth in detail the appropriate information requested on said form, and in addition thereto, such other information as may be from time to time required. The War Production Board will thereupon notify the operator if, and to what extent, the application is approved.

(2) *Application or extension of ratings.* By placing on his delivery order substantially the certification set forth below in (b) (4), an operator may apply and a supplier may extend the ratings assigned by (b) (1) (i) and (b) (1) (ii) in the manner provided in Priorities Regulation No. 3 and CMP Regulation No. 3.

An order for materials, other than controlled materials, bearing the rating assigned in (b) (1) (i) or (b) (1) (ii) when bearing the CMP allotment symbol

MRO-U, and accompanied by the certification, substantially as set forth below in (b) (4), shall have the same status as a rated order bearing a CMP allotment symbol under all applicable CMP regulations. Such symbol shall constitute an allotment number or symbol for the purposes of CMP Regulation No. 3.

(3) *The delivery of controlled materials.* For the delivery of controlled materials, except aluminum, required for maintenance, repair, or operating supplies, an operator is authorized to use, CMP allotment symbol MRO-U, and shall place on his delivery order substantially the certification set forth below in (b) (4).

An order bearing such certification shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment number under all applicable CMP regulations. Such symbol shall constitute an allotment symbol for the purposes of CMP Regulation No. 3.

(4) *Certification for use of ratings and allotment symbols.* CMP allotment symbol MRO-U. Preference Rating ----- The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders, and under all provisions of Utilities Order U-2 and U-3, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Such certification shall in every case be signed manually or as provided in Priorities Regulation No. 7.

(c) *Restrictions on use of ratings and allotment symbol.* (1) In addition to the limitations in paragraphs (c) (2) and (c) (5) below, the preference ratings assigned and/or the allotment symbol authorized by this order shall not be applied by an operator:

(i) To obtain deliveries of materials containing copper, iron, steel, or nickel where such metals could be eliminated therefrom by the substitution of less scarce metals without serious loss of efficiency.

(ii) To obtain materials for exchange plant of any kind (exclusive of telegraph and/or teletypewriter plant) or for toll telephone central office equipment or for combined exchange and toll telephone central office equipment where the cost of such material to which the rating and/or allotment symbol is applied, in any single case, exceeds \$2,500 or the total cost of material (both new and reused) in a single case exceeds \$5,000, or to obtain PBX switchboards required to serve subscribers other than those set forth in paragraphs (e) (1) (i) and (e) (1) (ii) of Utilities Order U-2.

(iii) To obtain material for toll line plant where the cost of material (both new and reused) in any single case exceeds \$500.

(iv) To obtain material for teletypewriters where the cost of material (both



new and reused) in any single case exceeds \$500 or to obtain teletypewriters to meet other than the minimum needs for service of the kind included in paragraph (e) (1) (i) of Utilities Order U-2.

(v) To obtain material for telegraph and/or teletypewriter plant, other than teletypewriters, where the cost of material (both new and reused) in any single case exceeds \$2,500.

(2) No operator shall apply the ratings assigned by this order to obtain material for repairs to buildings except in accordance with, and to the extent authorized by, Order L-41.

(3) The foregoing dollar limitations in paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) shall not apply to the portions of the material or equipment obtained from the operator's inventory or plant to meet temporary traffic or emergency requirements other than those occasioned by regularly recurring seasonal or holiday requirements. Any material or equipment so employed to meet such requirements shall, upon the termination of such temporary traffic or emergency requirements, be restored to the location in plant from which it was taken, if the service requirements at that time justify, or placed in inventory. In case the requirements for use of such material or equipment extends in any single instance beyond a period of thirty (30) days, the operator shall on or before the thirtieth day of such use make application to the Office of War Utilities on Form PD-716 for authorization to continue the use of such material or equipment, setting forth in detail the appropriate information requested on said form, and in addition thereto, such other information as may, from time to time, be required.

(4) Excepted from the foregoing provisions of paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) are maintenance and repair materials and materials authorized on Form PD-685 under the provisions of paragraph (b) (1) (ii).

(5) No operator shall subdivide a single order, job, or project to qualify the same under the terms of this order.

(d) *Sales of material from operator's excess stock.* An operator may sell to any other operator material from his stocks only where a preference rating assigned by this order, or a preference rating certificate, order or other direction issued by the Director General for Operations of the War Production Board or the War Production Board is extended by the operator purchasing such material to the operator selling such material. Any such sale made in conformity with the terms of this paragraph shall be deemed to be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(e) *Restrictions on deliveries, inventory and use.* (1) Except as provided in paragraph (f) below, no operator who has applied any rating assigned or the allotment symbol authorized by this order shall at any time accept deliveries of material (whether or not rated pursuant to this order) to be used for any purpose:

(i) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working minimum. Such practical working minimum

shall in no event exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and office equipment; printing, stationery and office supplies; house service supplies; and coal and petroleum products.

(ii) If the receipt thereof would increase the dollar value of the operator's inventory of material to an amount in excess of normal requirements which in no event shall exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and office equipment; printing, stationery and office supplies; house service supplies; and coal and petroleum products.

(iii) If the receipt thereof would increase the operator's inventory of a specific size, type and gauge of cable, wire or strand in excess of the estimated use of that specific size, type and gauge for the next 60 days: *Provided, however,* That this restriction shall not apply to that portion of a minimum standard reel of cable or strand which is in excess of the estimated use for the next 60 days nor where the lengths of cable in inventory are not such as will meet the requirements of a project for which cable is needed.

(2) No operator shall use the allotment symbol or preference ratings assigned to obtain maintenance, repair or operating supplies during any calendar quarter in an aggregate dollar amount exceeding one-fourth of his aggregate dollar usage for maintenance, repair and operating supplies during the calendar year 1942 except that an operator to meet seasonal conditions may use such allotment symbol or preference ratings to obtain during any calendar quarter, up to, but not in excess of, his aggregate dollar usage for maintenance, repair and operating supplies during the corresponding quarter of 1942. In no event, however, shall any operator use such allotment symbol or preference ratings to obtain maintenance, repair and operating supplies during the 12 months ending March 31, 1944, in an amount exceeding his aggregate dollar usage for maintenance, repair and operating supplies during the calendar year 1942.

(f) *Exemptions.* (1) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942, did not exceed \$10,000, shall be exempt from the provisions of paragraphs (e) (1) (i) and (e) (1) (ii).

(2) Any operator whose use of materials during the year 1942 did not exceed \$10,000, shall be exempt from the provisions of paragraph (e) (2) above.

(3) Material delivered pursuant to paragraph (b) (1) (ii) shall be exempt from the provisions of paragraph (e) above.

(4) From time to time, the War Production Board may determine that certain operators are exempt in whole or in part from the restrictions contained in paragraph (e) above.

(g) *Records and reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this reg-

ulation shall keep and preserve for a period of not less than two years, accurate and complete records of all such supplies so acquired and used, which shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Office of War Utilities as may from time to time be required by the War Production Board.

(h) *Applicability of regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulation No. 5 shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of that Regulation.

(i) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(j) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Office of War Utilities, War Production Board, Washington, D. C. Ref: U-3.

(k) All official actions taken pursuant to Preference Rating Order P-130, prior to April 1, 1943 in the name of the Director General for Operations or the Director, Office of War Utilities, are hereby ratified.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

1. "Strapping" as defined in Order M-261, on fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

2. Fuel or electric power.

3. Office machinery or office equipment.

4. Clothing, shoes or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specifically designed and used to furnish protection against specific occupational hazards (other than weather):

a. Asbestos clothing.

b. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.



c. Safety industrial rubber gloves and hoods and lineman's rubber gloves and sleeves.

d. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

e. Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.

f. Safety industrial leather clothing other than gloves or mittens.

g. Metal mesh gloves, aprons and sleeves.

h. Plastic and fiber safety helmets.

5. Automotive replacement parts as defined by Order L-158.

[F. R. Doc. 43-5055; Filed, April 1, 1943; 11:39 a. m.]

#### PART 4504—COMMUNICATIONS

[Utilities Order U-5<sup>1</sup>]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain types of wire communication equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 4504.1 *Utilities Order U-5*—(a) *Definitions*. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person manufacturing wire communication equipment, parts or attachments thereto, of the kinds listed in Schedule A, to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by said manufacturer.

(3) "Distributor" means any person other than a manufacturer regularly engaged in the business of leasing or selling wire communication equipment, parts or attachments thereto, to dealers.

(4) "Dealer" means any person (other than one engaged in rendering wire or radio communication service), regularly engaged in the business of offering wire communication equipment, parts or attachments thereto for sale or lease at retail to the consumer.

(5) "Wire communication equipment" shall include, but not by way of limitation, new and used wire telephone and telegraph communication equipment, parts and attachments thereto (including wire intercommunicating systems) of the kinds listed in Schedule A.

(b) *General restrictions*. (1) Regardless of the terms of any contract of sale, purchase, rental or other commitment, no manufacturer, distributor or dealer shall accept any purchase, rental or other order for wire communication equipment, parts or attachments thereto including, but not limited to, those included in Schedule A which is attached and made a part of this order, except a purchase, rental or other order bearing a preference rating of AA-4 or higher; and no manufacturer, distributor or

dealer shall sell, lend, lease, rent, deliver or otherwise transfer any such wire communication equipment, parts or attachments thereto, nor shall any person receive or accept deliveries of any such equipment, parts or attachments thereto, from a manufacturer, distributor or dealer except to fill a purchase, rental or other order bearing a preference rating of AA-4 or higher. *Provided, however*, That this paragraph shall not prohibit the transfer or delivery of wire communication equipment to a manufacturer for repair or storage or the return of said equipment to the owner thereof after repair has been effected or storage terminated.

(2) Notwithstanding the provisions of paragraph (b) (1), wire communication equipment, the order for which bears a preference rating of A-7 or higher and has been accepted by a manufacturer, distributor or dealer prior to January 2, 1943 or which bears a preference rating of A-1-a or higher and has been accepted by a manufacturer, distributor or dealer prior to April 1, 1943, may be manufactured and/or transferred and/or delivered.

(3) Notwithstanding the provisions of paragraph (b) (1), no telephone "operator" as defined in Utilities Order U-3 and no telegraph "operator" as defined in Utilities Order U-4, shall sell, lend, lease, rent, deliver or otherwise transfer any wire communication equipment to any other such "operator" except in accordance with the provisions as to sale of materials by an operator from stock contained in Utilities Order U-3 or Utilities Order U-4, as the case may be.

(c) *Existing contracts*. Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after September 25, 1942. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with the terms of this order.

(d) *Applicability of regulations*. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington, D. C., Ref.: U-5.

(f) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from, stating fully the grounds of the appeal.

(g) *Violations*. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be pro-

hibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(h) *Reports*. All persons affected by this order shall execute and file such reports as the War Production Board shall from time to time require.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

General categories of wire communication equipment, parts or attachments thereto, to the extent used for and/or in conjunction with wire communication, limited by Utilities Order U-5.

1. Switchboards and switching systems including local telephone, central office, toll telephone, PBX telephone and telegraph.
2. Telephones including transmitters, receivers, dials, subscriber sets.
3. Relays, condensers, repeaters, coils, filters and carrier systems.
4. Testing apparatus.
5. Wire and strand.
6. Cable.
7. Cable terminals.
8. Pole line hardware.
9. Plugs, jacks, cords, keys.
10. Wire intercommunicating systems.
11. Varioplex, multiplex, facsimile and telautograph equipment.
12. Teletypewriters, printing telegraph machines, tape perforating apparatus and accessories.
13. Appliances used for manual telegraph.
14. Time clocks, time switches, call boxes, signaling and selector equipment used for telephone and telegraph systems and/or used for wire protective alarm systems.
15. Motors, generators, storage batteries, rectifiers, transformers, power panels and associated equipment.

[F. R. Doc. 43-5057; Filed, April 1, 1943; 11:39 a. m.]

#### PART 4503—COMMUNICATIONS

[Utilities Order U-4<sup>1</sup>]

Section 4503.1 *Utilities Order U-4*—(a) *Definitions*. For the purposes of this order:

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States and any political, corporate, administrative or other division or agency thereof to the extent engaged in rendering within, to or from the United States, its territories or possessions, wire telegraph, cable or related communications service (exclusive of telegraph and teletypewriter service rendered by operators of telephone communications systems), either private or

<sup>1</sup> Preference Rating Order P-132 has been revoked and is superseded by this order.

<sup>1</sup> General Conservation Order L-148 has been revoked and is superseded by this order.



public in character, which involves the transmission and reception of coded impulse signals in numerical variety not less than the number of characters in the English alphabet.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design.

(4) "Operating supplies" means any material (other than that used for maintenance and repair and items on Schedule B) which is essential to and used in the operation of wire telegraph, cable, or related communication service by an operator provided that such use conforms to the limitations set forth in paragraphs (c) (1) (ii), (c) (1) (iii) and (c) (1) (iv) hereof. The term shall also include such items as hand tools, customarily purchased by the employer-operator for sale to his employees for use only in his business, in those cases where they could constitute operating supplies under established accounting practice if issued to employees without charge.

(5) "Operator's inventory of material" shall include all items of new and/or salvaged material and supplies on hand, whether held for current use or for sale as junk, until physically incorporated into plant by way of maintenance, repair, construction, or otherwise, and without regard to whether or not such items of material are carried in the operator's accounting records under "Material and supplies account". "Operator's inventory of material" shall not include:

(i) Any surplus material listed by the operator for sale with the Communications Division of the War Production Board. Such surplus material shall be available to the industry for use for maintenance, repair, construction or operating supplies. Records of withdrawals from and additions to such surplus equipment shall be maintained and preserved as provided in paragraph (g) hereof, and reported to the Communications Division upon the request of the War Production Board.

(ii) Any material identified for use in projects which have been specifically authorized either by the Director General for Operations or the Director, Office of War Utilities upon application by an operator.

(iii) Any operating supplies which are in the process of being consumed by an operator.

(iv) Any material (other than material ordinarily carried in stock for the day-to-day operations and for emergency repairs) which is set aside in a reserve to restore plant damaged by enemy action or sabotage provided that authorization is granted either by the Director General for Operations or by the Director, Office of War Utilities, upon application of an operator made on Form PD-200. Any material withdrawn from such reserve shall be used only for the restoration of plant damaged by enemy action or sabotage and such use shall be reported by letter to the Office of War Utilities, within thirty days after such withdrawal.

(v) Any stock of ocean cable, lead-covered cable, or bare line wire maintained for the purpose of repairing major breakdowns of existing facilities due to storms, floods, earthquakes, tidal disturbances, etc., reported as prescribed on Form UF-12, unless disapproved by the Office of War Utilities.

(vi) Poles; crossarms; insulators; non-metallic conduit; furniture and fixtures; printing, stationery and office supplies; house service supplies; clothing (uniforms, etc.); and coal and petroleum products.

(b) *Preference ratings, CMP allotment symbol MRO-U*—(1) *Assignment of rating.* Subject to the terms of this order, operators are assigned the preference rating of AA-1 for deliveries to an operator of materials, other than controlled materials, required for maintenance, repair, and operating supplies;

(2) *Application or extension of rating.* By placing on his delivery order substantially the certification set forth below in paragraph (b) (4), an operator may apply or a supplier may extend the rating assigned by paragraph (b) (1) in the manner provided in Priorities Regulation No. 3 and CMP Regulation No. 3. An order for materials, other than controlled materials, bearing the rating assigned in paragraph (b) (1) when bearing the CMP allotment symbol MRO-U, and accompanied by the certification, substantially as set forth below in paragraph (b) (4), shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such a symbol shall constitute an allotment number or symbol for the purposes of CMP Regulation No. 3.

(3) *The delivery of controlled materials.* For the delivery of controlled materials, except aluminum, required for maintenance, repair, or operating supplies, an operator is authorized to use CMP allotment symbol MRO-U, and shall place on his delivery order substantially the certification set forth below in paragraph (b) (4). An order bearing such certification shall be deemed an authorized controlled material order and shall have the same status as an order bearing an allotment num-

ber under all applicable CMP regulations. Such symbol shall constitute an allotment number or symbol for the purposes of CMP Regulation No. 3.

(4) *Certification for use of rating and allotment symbol.* CMP Allotment Symbol MRO-U. Preference Rating ----- The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders, to place this delivery order, to receive the item(s) ordered for the purpose for which ordered and to use any preference rating or allotment number or symbol which the undersigned has placed on this order. Such certification shall in every case be signed manually or as provided in Priorities Regulation No. 7.

(c) *Restrictions on use of rating and allotment symbol.* (1) In addition to the limitation in paragraphs (c) (2) and (c) (3) below, the preference ratings and/or allotment symbol assigned shall not be applied by an operator:

(i) To obtain deliveries of materials containing copper, iron, steel, or nickel where such metals could be eliminated therefrom by the substitution of less scarce metals without serious loss of efficiency.

(ii) To obtain materials for telegraph and/or teletypewriter plant including printing telegraph machines unless the same are reasonably required to meet the known or fairly anticipated demands for wire telegraph, cable and related service required by persons engaged in direct defense or charged with responsibility for public health, welfare or security including, but not limited to, those in the service categories shown in Schedule A, where their employment in direct defense or their responsibilities for public health, welfare, or security requires such service for the proper discharge of such duties; or unless required to provide for the installation of, or additions to, public telegraph facilities to meet essential public requirements.

(iii) To obtain material for printing telegraph machines to be installed in other than central or branch offices of an operator where the cost of material (both new and reused) in any single case exceeds \$500.

(iv) To obtain material for telegraph plant or equipment where the cost of material (both new and reused) in any single case exceeds \$2500.

(2) No operator shall apply the ratings assigned by this order to obtain material for repairs to buildings except in accordance with, and to the extent authorized, by Order L-41.

(3) No operator shall subdivide a single order, job, or project to qualify the same under the terms of this order.

(d) *Sales of material from operator's excess stock.* An operator may sell to any other operator material from his stocks but only where a preference rating



assigned by this order, or a preference rating certificate, order or other direction issued by the Director General for Operations of the War Production Board, or the War Production Board is extended by the operator purchasing such material to the operator selling such material. Any such sale made in conformity with the terms of this paragraph shall be deemed to be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(e) *Restrictions on deliveries, inventory and use.* (1) Except as provided in paragraph (f) below, no operator who has applied the rating or the allotment symbol authorized hereby shall at any time accept deliveries of material (whether or not rated pursuant to this order) to be used for any purpose:

(i) Until the dollar value of the operator's inventory of material shall have been reduced to a practical working minimum. Such practical working minimum shall in no event exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and fixtures; printing; stationery and office supplies; house service supplies; clothing (uniforms, etc.); and coal and petroleum products.

(ii) If the receipt thereof would increase the dollar value of the operator's inventory of material to an amount in excess of normal requirements which in no event shall exceed 27½% of the dollar value of material used for all purposes during the calendar year 1940 exclusive of poles; crossarms; insulators; non-metallic conduit; furniture and fixtures; printing; stationery and office supplies; house service supplies; clothing (uniforms, etc.); and coal and petroleum products.

(iii) If the receipt thereof would increase the operator's inventory of a specific size, type, and gauge of cable, wire or strand in excess of the estimated use of that specific size, type and gauge for the next 60 days: *Provided, however,* That this restriction shall not apply to that portion of a minimum standard reel of cable or strand which is in excess of the estimated use for the next 60 days nor where the lengths of cable in inventory are not such as will meet the requirements of a project for which cable is needed.

(2) No operator shall use the allotment symbol or preference ratings assigned to obtain maintenance, repair or operating supplies during any calendar quarter in an aggregate dollar amount exceeding one-fourth of his aggregate dollar usage for maintenance, repair and operating supplies during the

corresponding quarter of 1942. In no event, however, shall any operator use such allotment symbol or preference ratings to obtain maintenance, repair and operating supplies during the 12 months ending March 31, 1944, in an amount exceeding his aggregate dollar usage for maintenance, repair and operating supplies during the calendar year 1942.

(f) *Exemptions.* (1) Any operator whose average value of inventory of material for the five calendar years prior to January 1, 1942 did not exceed \$10,000 shall be exempt from the provisions of paragraphs (e) (1) (i) and (e) (1) (ii).

(2) Any operator whose use of materials during the year 1942 did not exceed \$10,000 shall be exempt from the provisions of paragraph (e) (2) above.

(3) From time to time, the Director of the Office of War Utilities may determine that certain operators are exempt in whole or in part from the restrictions contained in paragraph (e) above.

(g) *Records and Reports.* Each operator acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired and also of the use to which supplies are put, which shall, upon request be submitted to audit and inspection by duly authorized representatives of the War Production Board. In addition, each operator affected by this order shall file such reports with the Office of War Utilities as may from time to time be required by the War Production Board.

(h) *Applicability of Regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulation No. 5 shall apply to operators as defined in paragraph (a) (1) of this order, and no such operator shall obtain any material under the provisions of that regulation.

(i) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from asking or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(j) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: Office of War Utilities, War Production Board, Washington, D. C. Ref: U-4.

(k) All official actions pursuant to Preference Rating Order P-132 prior to April 1, 1943, in the name of the Director General for Operations or the Director,

Office of War Utilities, are hereby ratified.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

General categories of wire telegraph and cable service related to direct defense, public health, welfare or security.

1. Official Army, Navy, Marine Corps, Coast Guard, civilian defense services.

2. Official Federal, state, county and municipal government services.

3. Official agencies of foreign governments.

4. (a) Public or private organizations directly serving the public health, welfare or security, such as: hospitals, clinics, sanatoria, air raid warning systems, etc.

(b) Common carriers, pipeline companies, all types of public utilities.

(c) Press associations, newspapers, radio broadcasting stations.

5. Business concerns furnishing material, equipment or facilities under prime or sub-contracts to the armed services of the United States, and their suppliers.

#### SCHEDULE B

1. Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered.

2. Fuel or electric power.

3. Office machinery or furniture and fixtures.

4. Clothing, shoes, or other wearing apparel, if made of leather or textiles, except that the following types may be included in operating supplies when specially designed and used to furnish protection against specific occupational hazards (other than weather):

a. Asbestos clothing.

b. Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.

c. Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves.

d. Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

e. Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.

f. Safety industrial leather clothing other than gloves or mittens.

g. Metal mesh gloves, aprons and sleeves.

h. Plastic and fibre safety helmets.

5. Automotive replacement parts and automotive replacement storage batteries as defined in General Conservation Orders L-158 and L-180 respectively.

[F. R. Doc. 43-5056; Filed, April 1, 1943; 11:39 a. m.]

#### Chapter XI—Office of Price Administration

##### PART 1305—ADMINISTRATION

[SO 39<sup>1</sup>, Amendment 2]

##### LICENSING SELLERS OF CONTAINERS AND OF SERVICES RELATING THERETO

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously

<sup>1</sup> 8 F.R. 3525, 3840.



herewith and filed with the Division of the Federal Register.\*

In § 1305.52 the No. 117 is deleted from the list of maximum price regulations specified in paragraphs (a) and (b).

Amendment No. 2 § 1305.52 (a) and (b) to Supplementary Order No. 39 shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4999; Filed, March 31, 1943;  
4:58 p. m.]

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,<sup>1</sup> Amendment 20]

##### TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.806 (c) is added to read as follows:

(c) A dealer or manufacturer may, without certificate, acquire tires, tubes or camelback which he has transferred pursuant to a conditional sales contract or chattel mortgage. The dealer or manufacturer shall notify his State or district office within ten days of the amount, type and grade of tires, tubes or camelback acquired.

2. Section 1315.1005 (f) is added to read as follows:

(f) Any dealer or manufacturer who acquires tires, tubes or camelback pursuant to § 1315.806 (c) shall notify his State or district office within ten days of the amount, type and grade of tires, tubes or camelback acquired.

3. The text of § 1315.1007 is amended to read as follows:

Every person (except a manufacturer of vehicles) engaged in the business of selling or holding for sale tires, tubes or vehicles, and every person extending credit to another upon the security of a vehicle under an agreement permitting the lender to take possession of the vehicle shall:

4. Section 1315.1007 (c) is amended by inserting the word, "State or district office" in place of the words "regional office".

This amendment shall become effective April 6, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521.

April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5001; Filed, March 31, 1943;  
5:00 p. m.]

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,<sup>1</sup> Amendment 21]

##### TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order No. 1A is amended in the following respect:

1. The effective date provision of Amendment No. 19 to Ration Order No. 1A is amended to read as follows:

This Amendment No. 19 shall become effective April 9, 1943.

This amendment shall become effective March 31, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5000; Filed, March 31, 1943;  
5:00 p. m.]

#### PART 1340—FUEL

[MPR 121,<sup>2</sup> Amendment 12]

##### MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of the considerations involved in the issuance of this amend-

<sup>1</sup> 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606, 1585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521.

<sup>2</sup> 7 F.R. 3237, 3989, 4483, 5941, 6002, 6386, 8587, 8521, 8938, 8948, 10529; 8 F.R. 1895, 2756.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1340.248 (a) (2) is amended to read as follows:

(2) "Miscellaneous solid fuels" or "miscellaneous solid fuel" means anthracite other than that produced in the State of Pennsylvania; semi-anthracite; lignite; all coke, including low temperature coke and petroleum coke (except by-product foundry coke and by-product blast furnace coke, and beehive oven furnace coke produced in Pennsylvania and in Monongalia, Preston and Upshur Counties, West Virginia); briquettes made from coke or coal; packaged coal; and sea-coal used for foundry facings.

This amendment shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5002; Filed, March 31, 1943;  
4:59 p. m.]

#### PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,<sup>3</sup> Amendment 5]

##### CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 306 is amended in the following respects:

1. Section 1341.553 (b) (3) is added to read as follows:

Item	Section	Appendix
(3) Corn	1341.584	B

2. Section 1341.584 (c) is added to read as follows:

(c) Corn. (1) The maximum prices per dozen containers, f. o. b. factory, for sales other than to government agencies, shall be as follows:

<sup>3</sup> 8 F.R. 1114, 1313, 2921, 3732.

Col. 1 Item No.	Col. 2 Variety and style	Col. 3 Grade	Col. 4 Region I		Col. 5 Region II		Col. 6 Region III		
			No. 2 can	12 oz. vacuum can	No. 10 can	No. 2 can	12 oz. vacuum can	No. 10 can	No. 2 can
1	Whole grain, all varieties.	A or fancy	1.36	1.31	6.80	1.31	1.26	6.55	1.29
2		B or extra standard	1.26	1.21	6.30	1.21	1.16	6.05	1.19
3		C or standard	1.16	1.11	5.80	1.11	1.06	5.55	1.09
4	Cream style, except evergreen and narrow grain.	A or fancy	1.26	1.21	6.30	1.21	1.16	6.05	1.19
5		B or extra standard	1.16	1.11	5.80	1.11	1.06	5.55	1.09
6		C or standard	1.06	1.01	5.30	1.01	.96	5.05	.99
7	Cream style, evergreen and narrow grain.	A or fancy	1.16	1.11	5.80	1.11	1.06	5.55	1.09
8		B or extra standard	1.11	1.06	5.55	1.06	1.01	5.30	1.04
9		C or standard	1.06	1.01	5.30	1.01	.96	5.05	.99



(2) The regions set forth in paragraph (c) (1) of this section shall be as follows:

REGION I: Maine, New Hampshire, Washington, Oregon, California and Southwestern Idaho (Washington, Payette, Gem, Canyon, Ada and Owyhee counties).

REGION II: Ohio, Indiana, Illinois, Iowa, Nebraska, North Dakota, South Dakota, Michigan, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, and the portion of Idaho not included in Region I.

REGION III: All states not included in Region I or Region II.

(3) The maximum price for any variety and style in a grade below standard shall be: in #2 cans, fifteen cents per dozen less than the maximum price for standard grade in #2 cans; in #10 cans, seventy-five cents per dozen less than the maximum price for standard grade in #10 cans.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5004; Filed, March 31, 1943;  
4:58 p. m.]

#### PART 1345—COKE

[RPS 77, Amendment 6]

#### BEEHIVE OVEN FURNACE COKE PRODUCED IN PENNSYLVANIA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1345.58 (b) is amended to read as follows:

(b) "Beehive oven furnace coke produced in Pennsylvania" means coke produced in Pennsylvania, and in Monongalia, Preston and Upshur Counties, West Virginia, in beehive ovens, and commonly used for smelting in the ferrous and non-ferrous industries, and for other industrial purposes: *Provided*, That foundry coke when used in an iron foundry shall not be deemed beehive oven furnace coke within the meaning of this section.

This amendment shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5003; Filed, March 31, 1943;  
4:59 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 1352, 2000, 2132, 2760, 6386, 8948; 8 F.R. 1313, 1800, 2334.

#### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 182,<sup>1</sup> Amendment 6]

#### KRAFT WRAPPING PAPERS, CERTAIN KRAFT BAG PAPERS AND CERTAIN BAGS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 182 is amended in the following respects:

1. In § 1347.301 (a) the tabulation of maximum prices in sales by manufacturers is amended to read as follows:

(a) *Tabulation of maximum prices in sales by manufacturers.*

Grades	Maximum base prices per cwt.
Standard Kraft wrapping paper (30 pound basis weight and heavier)...	\$4.75
No. 1 Kraft wrapping paper (30 pound basis weight and heavier).....	5.00
Superstandard Kraft wrapping paper (30 pound basis weight and heavier).....	5.25
Imitation Kraft wrapping paper (40 pound basis weight and heavier).....	4.50
Standard unbleached Kraft butchers wrapping paper (40 pounds basis weight and heavier).....	5.00
No. 1 unbleached Kraft butchers wrapping paper (40 pound basis weight and heavier).....	5.25
Machine glazed Kraft wrapping paper (25 pound basis weight and heavier).....	5.50
Standard Kraft bag paper (30 pound basis weight and heavier).....	4.375
Variety Kraft bag paper (30 pound basis weight and heavier).....	4.625
Machine glazed Kraft bag paper (25 pound basis weight and heavier)...	5.25

\*On sales of this grade by Fox Paper Company, Lockland, Ohio, Nekoosa-Edwards Paper Company, Port Edwards, Wisconsin, and Thilmany Pulp and Paper Company, Kaukauna, Wisconsin, the maximum price established in this paragraph shall be \$5.75 per cwt.

\*On sales of this grade by Fox Paper Company, Lockland, Ohio, Nekoosa-Edwards Paper Company, Port Edwards, Wisconsin, and Thilmany Pulp and Paper Company, Kaukauna, Wisconsin, the maximum price established in this paragraph shall be \$5.50 per cwt.

2. In § 1347.315 (b) the tabulation of maximum prices in sales by manufacturers is amended to read as follows:

(b) *Tabulation of maximum prices in sales by manufacturers.*

Grades	Maximum prices in basic discounts from standard base lists <sup>1</sup>
Self-opening (automatic) Kraft grocer's bags.....	25/5s
Square & Flat Kraft grocer's bags...	26/5s
Self-opening (automatic) White M. F. grocer's bags.....	21/5s

<sup>1</sup> These discounts are from the respective industry base lists. The lists and computations of discounts are set forth in § 1347.317 herein.

<sup>1</sup> 7 F.R. 5712, 6048, 7974, 8997, 8948, 9724, 10811.

Maximum prices in basic discounts from standard base lists

Grades	Maximum prices in basic discounts from standard base lists
Square & flat white M. F. grocer's bags.....	22/5s
Garment and pants bags:	
30 # M. F. Brown Kraft.....	9/5s
25 # M. F. Brown Kraft.....	11/5s
Liquor bottle bags 35 # M. F. Brown Kraft.....	25/5s
Millinery and notion bags:	
25 # M. G. brown stripe Kraft....	25-10/5s
25 # M. G. grey stripe Kraft.....	25-9/5s
25 # M. F. brown Kraft.....	25-11/5s
25 # M. F. Grey Kraft.....	25-10/5s
30 # M. F. brown Kraft.....	25-9/5s
30 # M. F. grey Kraft.....	25-8/5s
Shopping bags <sup>2</sup> .....	17/5s
Standard, poultry, and bundle sacks <sup>2</sup> .....	26/5s
Sugar bags <sup>2</sup> .....	25/5s

<sup>2</sup> Brown M. F. Kraft in the basis weights as stated in the simplification report submitted to the War Production Board by Conservation Committee for the Paper Bag Industry.

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4992; Filed, March 31, 1943;  
4:58 p. m.]

#### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 187,<sup>1</sup> Amendment 3]

#### CERTAIN PAPERBOARD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

In § 1347.401 (c) (1), the first sentence is amended to read as follows:

(1) *Raw material costs.* The delivered purchase price at which the raw materials are acquired by a converting plant, or the transfer price of an integrated mill to its converting plant, neither of which shall in any event exceed the maximum prices for such raw materials in effect on March 31, 1943, as established by the Office of Price Administration.

This amendment shall become effective April 1, 1943 and remain in effect until June 1, 1943. The Price Administrator may at any time amend, replace, extend or make permanent such amendment.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4975; Filed, March 31, 1943;  
4:42 p. m.]

<sup>1</sup> 7 F.R. 5780, 8948, 9223, 10618.



PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 225,<sup>1</sup> as Amended March 31, 1943]

PRINTING AND PRINTED PAPER COMMODITIES

Section 1347.469 is amended by Amendment 4 issued March 31, and effective April 6, 1943, so that Maximum Price Regulation No. 225 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of printing and printed paper products by a separate maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation, which apply to the sale of certain printed paper commodities and to printing and related services in connection therewith, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act.

So far as practicable the Price Administrator has given due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability, and has consulted with representatives of trade and industry.

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.\*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, this Maximum Price Regulation No. 225 (Printing and Printed Paper Commodities) is hereby issued.

NOTE: The meaning of certain provisions and terms of this Maximum Price Regulation No. 225 is further explained and defined in § 1347.472. The explanations and definitions are set forth in alphabetical order. The terms explained and defined are quoted the first time they appear in the text.

- Sec.
- 1347.451 Prohibition against dealing in commodities or services above maximum prices.
  - 1347.452 Maximum prices for commodities and services; general provisions.
  - 1347.453 Maximum prices for services and for "original sales" of commodities which cannot be priced under § 1347.452.
  - 1347.454 Maximum prices for "resales" of commodities which cannot be priced under § 1347.452.
  - 1347.455 Similar commodities or services subsequently sold.
  - 1347.456 Maximum prices for commodities and services which cannot be priced under the foregoing provisions of this regulation.
  - 1347.457 Transfers of business or stock in trade.
  - 1347.458 Export sales.
  - 1347.459 Federal and state taxes.
  - 1347.460 Less than maximum prices.
  - 1347.461 Conditional agreements.
  - 1347.462 Evasions.

\*Copies may be obtained from the Office of Price Administration. Statements of considerations are also issued simultaneously with issuance of amendments.

<sup>1</sup> 7 F.R. 7593, 8929, 8939, 8948; 8 F.R. 1060.

- Sec.
- 1347.463 Base-period "records" and reports.
  - 1347.464 Current records.
  - 1347.465 Sales slips and receipts.
  - 1347.466 Licensing.
  - 1347.467 Registration of licensees.
  - 1347.468 Enforcement.
  - 1347.469 Adjustment of maximum prices.
  - 1347.470 Petitions for amendment.
  - 1347.471 Applicability of General Maximum Price Regulation.
  - 1347.472 Definitions and explanations.
  - 1347.473 Applicability.
  - 1347.474 Effective date.
  - 1347.474a Effective dates of amendments.
  - 1347.475 Appendix A: Commodities.
  - 1347.476 Appendix B: Services.
  - 1347.477 Appendix C: Exceptions to pricing provisions of §§ 1347.452 through 1347.456.

AUTHORITY: §§ 1347.451 to 1347.476, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F. R. 7871.

§ 1347.451 *Prohibition against dealing in commodities or services above maximum prices.* (a) On and after September 29th, 1942, regardless of any contract or other obligation:

(1) No "person" shall "sell" or deliver any of the "commodities" listed in Appendix A (§ 1347.475) and no person shall sell or supply any of the "services" listed in Appendix B (§ 1347.476) at a price higher than the maximum price permitted by this Maximum Price Regulation No. 225, and

(2) No person, in the course of trade or business, shall buy or receive any of said commodities or services at a price higher than the maximum price permitted by this Maximum Price Regulation No. 225: *Provided*, That in the case of the sale or supply of services or the original sale of commodities for which a maximum price has been established by this Maximum Price Regulation No. 225, the purchaser shall be deemed to have complied with this subparagraph (2) if: (i) the purchaser shall receive from the "seller" a written affidavit that the seller has calculated the maximum price for said commodity or service in accordance with the provisions of this regulation and has filed with the Office of Price Administration the reports required by § 1347.463, and (ii) the purchaser shall have no knowledge of the maximum price applicable beyond the statements made to him by the seller, and no cause to doubt the accuracy of the affidavit, and (iii) the price paid by the purchaser is not in excess of the maximum price as sworn to by the seller.

(b) The provisions of this § 1347.451 shall not be applicable to sales of any service or to sales or deliveries of any commodity to a purchaser if, prior to September 29, 1942, the commodity sold or in connection with which the service had been rendered had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser.

(c) The provisions of this Maximum Price Regulation No. 225 shall not be applicable to any persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed "papers" and printed paper products and services in

connection therewith did not exceed \$20,000. This exemption, however, shall not apply to any person who was not engaged primarily in any of said businesses, or any combination thereof, throughout the calendar year 1941. Such person shall be subject to the provisions of this regulation unless and until he shall have been primarily engaged in one or more of said businesses, or any combination thereof, for an entire calendar year, during which year his total gross sales of printed papers and printed paper products and services in connection therewith did not exceed \$20,000.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

§ 1347.452 *Maximum prices for commodities and services; general provisions.* Each seller of any commodity or service subject to this Maximum Price Regulation No. 225 must determine his maximum price by applying the first one of the methods set forth in sequence in §§ 1347.452 through 1347.456, which fits the commodity or service being priced. A few exceptions to this pricing procedure are set forth in Appendix C (§ 1347.477) and take precedence over all other pricing provisions of this regulation.

As the first pricing method under this regulation, each seller must, if possible, take as his maximum price the "highest price which he charged during March, 1942" as defined in § 1347.472, paragraph (a) (6) of this regulation.

(a) For the same commodity or service; or

(b) If no charge was made for the same commodity or service, for the "similar commodity or service" most nearly like it.

[§ 1347.452 as amended by Amendment 3, 8 F.R. 1060, effective 1-21-43]

[NOTE: Under Supplementary Order No. 38 (8 F.R. 2996) any person who in March 1942 had a fixed practice of making accommodation sales of services is authorized to charge, and any person purchasing accommodation services is authorized to pay, for such services, rates, charges, fees and compensation therefor in an amount not exceeding the aggregate of the cost of direct labor at legally permitted wage rates and materials at actual cost thereof to the seller or at the ceiling price thereof, whichever is lower, for the service sold or supplied.]

§ 1347.453 *Maximum prices for services and for "original sales" of commodities, which cannot be priced under § 1347.452.* The seller's maximum price for a service or for an "original sale" of a commodity which cannot be priced under § 1347.452 of this Maximum Price Regulation No. 225 shall be established in accordance with the seller's customary methods of computing prices on the basis of cost of materials, production charges and margins. Such maximum price shall be a combination of the items set forth below in this § 1347.453.



(a) *Cost of materials.* An item for the actual "delivered" net cost to the seller of the materials used in producing the commodity or supplying the service: *Provided*, That in no event shall such cost exceed the maximum price, for purchase of the materials by the seller, established by the Office of Price Administration. If during March, 1942, the seller used, or, if in making such sale, would have used a method of averaging or otherwise computing his material costs, he shall continue such method in employing this pricing provision.

(b) *Production charges.* An item for charges for hand and machine operations which shall employ the same hourly and piece rates used by such seller in determining the selling price of the most nearly "comparable commodity or service" sold or "supplied" or offered for sale or supply by him during March, 1942. The same standards of production and the same methods or principles of applying production charges shall be employed as were employed during March, 1942, so that direct and indirect production charges shall be computed in the manner customarily employed during March, 1942. Charges for a different type of operation employed in producing any product or service (for example, hand rather than machine operation) shall not be substituted for customary production charges as a means of increasing the price of the product or the service. No hourly or piece rate, other than a lower rate for an identical operation, shall be employed which was not used by the seller in March, 1942, until it has been filed with the Office of Price Administration in Washington, D. C. in the manner provided in § 1347.463 of this Maximum Price Regulation No. 225. Such new hourly or piece rate shall be a rate which the seller would have used in March, 1942, and shall be in line with the seller's schedule of production charges actually employed during March, 1942.

(c) *Margin.* An item for a margin over the cost of materials and production charges (i. e., paragraph (a) plus paragraph (b)) computed on the same percentage basis, or on the same rate per unit of material, or on a combination thereof and by the same method as the seller employed in pricing the most nearly comparable commodity or service sold, supplied or offered for sale or supply during March, 1942, to a "purchaser of the same class" as defined in § 1347.472, paragraph (13) of this regulation. If during March, 1942, the seller employed the practice of including his charges for margin in his hourly and piece rates for hand and machine operations, he shall continue such practice in pricing any commodity or service under this section, and in such a case the seller shall make no duplicate calculation for margin under this paragraph (c). No new rate for margin, other than a lower rate for the sale of a comparable commodity or service to a purchaser of the same class, shall be employed which was not used by the seller in March, 1942, until it has been filed with the Office of Price Administration in Washington, D. C., in

the manner provided in § 1347.463 of this Maximum Price Regulation No. 225. Such new rate for margin shall be a rate which the seller would have used in March 1942, and shall be in line with the seller's schedule of rates for margin actually employed during March 1942.

(d) No seller shall change his customary allowances, discounts, or other price differentials unless such change results in a lower price.

(e) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or in the supply of any commodity or service, than the seller required purchasers of the same class to pay during March, 1942, on deliveries or supplies of comparable types of commodities or services.

§ 1347.454 *Maximum prices for "resales" of commodities which cannot be priced under § 1347.452.* The seller's maximum price for the "resale" of a commodity which cannot be priced under § 1347.452 of this Maximum Price Regulation No. 225 shall be:

(a) The highest price charged during March, 1942, by the "most closely competitive seller of the same class" as defined in § 1347.472, paragraph (7) of this regulation:

(1) For the same commodity; or  
(2) If no charge was made for the same commodity, for the similar commodity most nearly like it; or

(b) If a maximum price cannot be ascertained under paragraph (a) of this § 1347.454, a price determined by the seller in accordance with the following procedure:

(1) The seller shall select from the same general classification and price range as the commodity being priced under this paragraph (b) the comparable commodity for which a maximum price is established under § 1347.452 and of which the seller delivered the largest number of units during March, 1942:

(2) The seller shall divide his maximum price for that commodity by his "replacement cost" of that commodity; and

(3) The seller shall multiply the percentage so obtained by the cost to him of the commodity being priced under this paragraph (b).

The resulting figure shall be the maximum price of the commodity being priced. Within ten days after determining such maximum price under this paragraph (b), the seller shall report such price to the appropriate field office of the Office of Price Administration upon a form to be obtained from such office, duly filled out and signed under oath or affirmation.

[NOTE: Supplementary Order No. 23 (7 F.R. 8478) provides that on and after October 24, 1942, no report filed with the Office of Price Administration pursuant to any price regulation issued prior to that date need be notarized.]

§ 1347.455 *Similar commodities or services subsequently sold.* Any maximum price determined under § 1347.453, or paragraph (b) of § 1347.454 shall

be subject to adjustment in writing at any time by the Office of Price Administration. In the absence of such adjustment, the maximum price so determined shall be the maximum price for all commodities or services subsequently sold or supplied which are the same or similar to the commodity or service for which a maximum price has been so determined, without regard to subsequent changes in cost.

§ 1347.456 *Maximum prices for commodities and services which cannot be priced under the foregoing provisions of this regulation.* Where a maximum price is sought for a commodity or a service which cannot be priced under the foregoing provisions of this Maximum Price Regulation No. 225, the maximum price for the commodity or service shall be a price approved by the Office of Price Administration. Application for such approval shall be filed in duplicate with the Office of Price Administration in Washington, D. C. The application shall contain:

(a) An "appropriate description and identification" of the commodity or service for which a price is being requested;

(b) A statement of the reasons why it cannot be priced except under this § 1347.456;

(c) A statement of the proposed maximum price. In the case of the sale of a service or the original sale of a commodity, the seller shall set forth separately the amount included in the proposed price for cost of materials, production charges and margin. In the case of the resale of a commodity, he shall set forth separately his purchase price, transportation charges, if any, and mark-up.

Unless the Office of Price Administration or an authorized representative thereof shall, by letter mailed to the applicant within 21 days from the date of filing the application, disapprove the maximum price as reported, such price shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 13 (7 F.R. 6523) provides that retail sellers of commodities or services, who own more than one establishment and who have maintained a fixed practice of selling commodities or services at retail at uniform or at substantially uniform prices, may apply for authorization to determine and use uniform maximum prices.]

[NOTE: Supplementary Order No. 29 (7 F.R. 9816) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1347.457 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after April 28, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services, in an establishment separate from any other establishment previously owned or oper-



ated by him, the maximum prices of the transferee and his status with regard to the exemptions provided for in §§ 1347.451 (c) and 1347.463 (c) shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all the records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 225.

§ 1347.458 *Export sales.* The maximum price at which a person may export any commodity shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation\* issued by the Office of Price Administration.

§ 1347.459 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the sale or supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum prices for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March, 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 225.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 225.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price,

the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1347.460 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 225 may be charged, demanded, paid or offered.

§ 1347.461 *Conditional agreements.* No seller of any commodity or service for which maximum prices are established by this Maximum Price Regulation No. 225 shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by this regulation, in the event that this regulation is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment or for adjustment or for exception under § 1347.469 has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Request for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception under § 1347.469).

§ 1347.462 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 225 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the commodities and services for which maximum prices are established by this regulation alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1347.463 *Base-period "records" and reports.* (a) *Preservation of existing records.* Every person selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall preserve for examination by the Office of Price Administration for a period of two years all his existing records relating to the prices which he charged for such of those

commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 as he delivered or supplied during March 1942, and his "offering prices" for delivery or supply of such commodities or services during such month.

(b) *Statements by all sellers.* Every person making sales of commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall prepare, on or before October 29th, 1942, to the full extent of all available information and records, a statement showing:

(1) The highest prices which he charged for such of those commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 as he delivered or supplied during March 1942, and his offering prices for delivery or supply of such commodities or services during such month, together with an appropriate description or identification of each such commodity or service; and

(2) All his customary allowances, discounts and other price differentials.

Persons supplying a service or making an original sale of a commodity shall keep such statement for examination by a duly authorized representative of the Office of Price Administration. Persons making a resale of a commodity shall keep such statement for examination by any person during ordinary business hours.

(c) *Reports required from persons supplying services or making original sales.* Every person selling or supplying services or making original sales of commodities for which maximum prices are established by this Maximum Price Regulation No. 225 shall file, signed under oath or affirmation upon Form No. 325:1 to be obtained from the "appropriate field office of the Office of Price Administration:"

(1) A report showing all hourly and piece rates for hand and machine operations and all percentage and per piece rates for margins, and any combinations thereof, together with a statement of "pricing methods" and customary allowances, discounts and other price differentials employed by such person during March 1942, in determining the selling prices of any such commodities delivered and services supplied or offered for delivery or supply by such person during that period. Such report shall be filed with the Office of Price Administration in Washington, D. C., on or before November 28th, 1942.

(2) A report of any hourly and piece rates and rates for margin, not used by such person in March 1942, but subsequently proposed to be employed. Such report shall be filed with the Office of Price Administration in Washington, D. C., prior to the employment of such rates. Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to such person within 21 days from the filing of such report, disapprove such hourly and piece rates and rates for margin as reported, they shall be deemed to have been approved.

\* 7 F.R. 5059, 7242, 8829, 9000, 10530.



No report, however, under this paragraph (c) shall be required from persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed papers and printed paper products and services in connection therewith did not exceed \$50,000. This exemption, however, shall not apply to any person who was not engaged primarily in any of said businesses, or any combination thereof, throughout the calendar year 1941. Such person shall be subject to the provisions of this paragraph (c) unless and until he shall have been primarily engaged in one or more of said businesses, or any combination thereof, for an entire calendar year, during which year his total gross sales of printed papers and printed paper products and services in connection therewith did not exceed \$50,000.

§ 1347.464 *Current records.* Every person selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept, relating to the prices which he charged for such of those commodities or services as he sold after the effective date of this regulation; and, in addition, records showing, as precisely as possible, the basis upon which he determined the maximum prices for those commodities and services.

§ 1347.465 *Sales slips and receipts.* Any seller of commodities or services for which maximum prices are established by this Maximum Price Regulation No. 225 who has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so. Upon request from a purchaser, any such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the name of each commodity or service sold, and the price received for it.

§ 1347.466 *Licensing—(a) License required.* A license as a condition of selling is hereby required of every person subject to this Maximum Price Regulation No. 225 now or hereafter making a resale of a commodity for which a maximum price is established by this regulation.

(b) *License granted.* Every person now or hereafter making a resale of any commodity for which a maximum price is established by this Maximum Price Regulation No. 225 is hereby granted a license as a condition of making such resale of such commodity. The provisions of this Maximum Price Regulation No. 225 shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on the effective date of this regulation, or when any such person becomes subject to the maximum price provisions of this regulation, and shall, unless sus-

pended in accordance with the provisions of the Emergency Price Control Act of 1942, continue in force as long as such regulation, or any amendment or supplement thereto, remains in effect.

§ 1347.467 *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

§ 1347.468 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 225 are subject to the criminal penalties, civil enforcement actions, proceedings for the suspension of licenses and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 225 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district office, state office, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.469 *Applications for adjustment—(a) When adjustments may be granted.* The Office of Price Administration may adjust the maximum price established by this Maximum Price Regulation No. 225 for any seller of a commodity or service whenever it finds that such seller is unable to deliver or supply this commodity or service at this price and that either:

(1) His supply of this commodity or service is required to meet military or essential civilian needs; or

(2) The loss of this seller's supply of this commodity or service will force his customers to resort to higher priced sources of supply, and that no adequate substitute for this commodity or service is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

(b) *Amount of relief.* The relief granted under this section shall be limited to the amount necessary to permit the seller to supply this commodity or service, provided, however, that where an application is filed under paragraph (a) (2) above, the seller's maximum price will not be raised above the general level of prices prevailing for alternative sources of supply of this commodity or service or for an adequate substitute therefor.

(c) *Method of filing.* Applications for adjustment shall be filed in accordance with Subpart B of Revised Procedural Regulation No. 1,<sup>\*</sup> in any office of the Office of Price Administration. In addition to the material required in that

procedural regulation, the applicant shall set forth in his application the following data:

(1) Statement of the seller's maximum price, the section of Maximum Price Regulation No. 225 under which such price is determined, and the proposed adjusted price.

(2) Evidence that the seller comes within either of the classes listed in paragraph (a) above. If the application is based on part (2) of that paragraph, the applicant shall submit statements from his largest customers upon this point.

(3) Analyses as of March 1942, and as of the date of the application, of the following factors:

(i) Costs.—per unit of commodity or service—of paper, other materials used, and any other outside purchases.

(ii) Charges.—per unit of commodity or service—for each productive operation.

(iii) Charges.—per unit of commodity or service—for each type of margin including profit.

(iv) Hourly and/or piece rates upon which the unit production charges in (ii) above are based.

(v) Percentage rates upon which the unit charges for margin in (iii) above are based.

(4) If the applicant considers that he did not receive a reasonable operating margin on the sale of this commodity or service in March 1942, he may also submit an analysis of the points listed in paragraph (3) above, for the period next preceding March 1942, in which he received a reasonable operating margin, together with a statement of the reasons why the operating margin in March was not reasonable. This material shall be in addition to the analysis for March, 1942, required by paragraph (3).

(5) Description of the grade and delivered net cost per cwt. of the paper used in said commodity or service in each of the periods reported in paragraphs (3) and (4) above.

(6) Detailed statement of the changes in costs of each productive operation which occurred between each of the periods reported in paragraphs (3) and (4) above.

(7) Dollar volume of sales by the applicant of this commodity or service, and total dollar volume of all other sales by the applicant during each of the two fiscal years immediately preceding the filing of the application.

(8) Number of units of this commodity or service sold during each of the two fiscal years immediately preceding the filing of the application.

(9) Annual profit and loss statements for the applicant's business from 1936

<sup>\*</sup> 7 F.R. 8961; 8 F.R. 3313, 3533.



through the latest complete fiscal year. Quarterly profit and loss statements should be included, if possible, for each quarterly period subsequent to the year covered by the most recent annual statement.

If the application concerns the adjustment of prices of a large number of different commodities or services or of the seller's general rate structure, the cost and sales data required in this paragraph (c) may be presented in summary form.

If any of the foregoing data is already on file with the Office of Price Administration, the seller shall so state in his application, and it will not be necessary for him to file such data again. If any of this data is not available, applicant may so state, giving the reasons therefor.

[NOTE: This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.]

**§ 1347.470 Petitions for amendment.** Any person seeking an amendment of any provision of this Maximum Price Regulation No. 225 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1347.470 as amended by Supplementary Order No. 26, 7 F.R. 8948, 9460, 10448, effective 11-4-42]

[NOTE: *Procedural Regulation No. 6* (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of *Procedural Regulation No. 6* applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

**§ 1347.471 Applicability of General Maximum Price Regulation.** The provisions of this Maximum Price Regulation No. 225 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of commodities and services for which maximum prices are established by this Maximum Price Regulation No. 225.

**§ 1347.472 Definitions and explanations.** (a) When used in this Maximum Price Regulation No. 225:

(1) "Appropriate description and identification" means a complete listing of the specifications, processes and other characteristics of the commodity or service, or of the various grades of commodities or services.

(2) "Appropriate field office of the Office of Price Administration" means the district office for the district (or in the absence of such district office, the state office for the State) in which is located the seller's place of business from

which his sales of commodities and services are made.

(3) "Commodity" includes articles, products, and materials.

(4) "Comparable commodities and services". For the purposes of § 1347.453 only, one commodity or service shall be deemed comparable to another commodity or service if (i) the first has the same use as the second, (ii) affords the purchaser fairly equivalent serviceability, (iii) is produced by the same or substantially the same productive operations, and (iv) is customarily priced by the same pricing method as the first, although its price as determined by such pricing method is not the same or substantially the same as the first.

(5) "Delivered". A commodity shall be deemed to have been "delivered" during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(6) "Highest price charged during March, 1942" means:

(i) The highest price which the seller charged for a commodity delivered or service supplied by him during March, 1942, to a purchaser of the same class; or

(ii) If the seller delivered no such commodity or supplied no such service during March 1942, his highest offering price for such delivery or supply during that month to a purchaser of the same class; or

(iii) If the seller did not deliver the commodity or supply the service to be priced and had no offering price for such commodity or service to a purchaser of the same class, it shall be the highest price charged by the seller during March 1942, to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers;

(iv) If, however, prior to April 1, 1942, the seller raised his prices for the sale of a commodity or supply of a service to his classes of purchasers generally, and if, during March 1942, he delivered such commodity or supplied such service at the higher price to at least one class of purchasers, the highest price charged during March 1942, for each class of purchaser:

(a) To which the commodity was not delivered or the service not supplied during March, 1942 at the higher price, and

(b) To which the commodity was not delivered or the service not supplied during March, 1942 at a lower price after the price rise, except pursuant to a firm commitment entered into before such price rise,

shall be the seller's highest offering price for delivery or supply to such class of purchaser during March 1942, or, if he had no such offering price for supply to a particular class of purchaser during March 1942, the highest price charged by the seller during March 1942 to a purchaser of a different class, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(v) No seller shall change such of his customary allowances, discounts or other price differentials as were in effect in

March 1942, unless such change results in a lower price.

(vi) No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service, than the seller required purchasers of the same class to pay during March, 1942 on deliveries or supplies of the same or similar types of commodities or services.

(7) "Most closely competitive seller of the same class" means a seller of the same class who (i) is selling the same or a similar commodity or service, and (ii) is closely competitive in the sale of such commodities or services, and (iii) is located nearest to the seller.

(8) "Offering price" means the price quoted in the seller's price list, or, if he had no such price list, the price which he regularly quoted in any other manner or the price determined by the pricing method which the seller regularly adopted, except that in the case of sales of commodities by an establishment selling at retail, the offering price shall be the price at which the commodity was offered for sale at the immediate point of sale (for example, the shelves or counters). But offering price shall not include a price intended to withhold a commodity or service from the market, or a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(9) "Original sale" means the sale of a commodity by a person who has created or substantially changed the form of the commodity being sold.

(10) "Paper" and "paper products" shall, for the purpose of this Maximum Price Regulation No. 225, include all kinds, types, and grades of paper, paperboard and cellophane-type materials (regenerated cellulose, cellulose acetate and ethyl cellulose), but exclude, however, wallpaper.

(11) "Person" means an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(12) "Pricing methods" means the formulas by which the seller figures his price for any commodity or service, whether such formulas are disclosed to the purchaser or are merely the seller's devices for figuring costs of materials, production charges, and margin.

(13) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(14) "Records" means books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices,

\* 8 F.R. 3096.



bills of lading, and other papers and documents.

(15) "Replacement cost" means the net price paid by the seller after September 29th, 1942, or the net price which the seller would have to pay to replace such commodity after such date.

(16) "Resale" means a sale by a person other than the creator of a commodity who receives delivery thereof and resells it, without substantially changing its form.

(17) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user.

(18) "Sell" means sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly. Nothing in this Maximum Price Regulation No. 225 shall be construed to prohibit the making of a contract to sell a commodity or service at a price not to exceed the maximum price permitted by the Office of Price Administration at the time of delivery or supply.

(19) "Seller" includes a seller of any commodity or service for which maximum prices are established by this Maximum Price Regulation No. 225. Where a seller makes sales or supplies services through more than one selling unit, other than salesmen making sales at uniform prices, each separate place of business of the seller shall be deemed to be a separate seller, except that for the purposes of § 1347.466 of this regulation, the owner of the business shall be considered the seller regardless of the number of separate places of business he owns.

(20) "Seller of the same class" means a seller (i) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, repairing, typesetting, platemaking or publishing); (ii) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store, printer, electrotypewriter or photo-engraver); (iii) dealing in the same type of commodity or service, and (iv) selling to the same class of purchaser.

(21) "Service" means any service rendered or supplied, otherwise than as an employee, in connection with the processing, distribution, storage, repair, or negotiation of purchase or sale of a commodity, and generally, without limiting the foregoing, all services which preserve or add to the value or utility of a commodity.

(22) "Similar commodities or services". One commodity shall be deemed similar to another commodity, if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold for the same or substantially the same price. In determining the similarity of such commodities, differences merely in style or design which do not substantially affect use, or serviceability, or the price for which such commodities would ordinarily have been sold, shall not be taken into account. One service shall be

deemed similar to another service if the first has the same use and purpose as the second and belongs to a type which would ordinarily be sold for the same or substantially the same price. For the purpose of determining maximum prices for services and for original sales of commodities under § 1347.452, a similar commodity or service is further defined as a commodity or service which is produced to the same or substantially the same specifications and is produced by the same or substantially the same productive operations.

(23) "Supplied". A service shall be deemed to have been supplied during March, 1942, if during such month the service was completed and the commodity in connection with which the service was rendered was delivered to the purchaser.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.473 *Applicability.* The provisions of this Maximum Price Regulation No. 225 shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1347.474 *Effective date.* All provisions of this Maximum Price Regulation No. 225 (§§ 1347.451 to 1347.476 inclusive) shall become effective September 29, 1942. [Issued September 24, 1942.]

§ 1347.474a. *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1347.475 *Appendix A: Commodities.* This Maximum Price Regulation No. 225 shall apply to the following commodities:

*Bound blank books, including but not limited to:*

General books of account, such as bill books, cash books, cash sales books, check or voucher registers, columnar books, combination books, day books, figuring books, journals, ledgers, note records, records, and trial balance books.

Books of account or record for specific uses, such as bank forms, bond and mortgage records, business records, club registers, collection books, corporate records, counter books, delivery books, due ledgers, engineers' field books, garage registers, guest registers, hotel registers, index books, insurance registers, investment and income records, law record books, merchandise stock books, milkmen's account books, notarial records, order registers, payroll books, receiving clerks' records, rent collection books, roll books, sales records, scale books, shipping records, social security books, tally books, time books, tourist registers, used car records, and wage rate books.

Columnar pads, such as accounting pads and analysis pads.

Detachable forms, such as bill heads, bills of lading, business blanks, check books, correspondence books, draft books, invoice books, note books, order books, package receipt books, parcel post records, purchase order books, receipt books, remittance books, rent receipt books, sales books, statements, trade acceptances, and warrants.

Memorandum books, such as appointment books (except for resales), date books (except for resales), diaries (except for resales), memo books, pass books, telephone-address books,

telephone call pads, and travelers' expense books.

Scrap book type books, such as autograph books, match-book albums, photograph albums, post-card albums, record albums, and scrap books.

Books for personal use, such as baby books, brides' books, budget books, family expense books, graduation books, household expense books, pocket wallets for stamps, recipe books, service books, stamp approval books, trip books, and wedding books.

Miscellaneous blank books, such as book-keeping blanks, composition books, letter copying books, note books, perforated scratch pads, stenographers' notebooks, and students' notebooks.

*Looseleaf binders and covers, including but not limited to:*

Chain binders.

Compression binders.

Ledger binders.

Magazine type, single and multi-blade binders.

Prong binders.

Ring binders.

Screw, post and screw-post binders and covers.

Storage and transfer binders.

Binders and covers with fastening devices other than the above.

Spring binders, sheet and chart holders, and clip binders.

*Plain and faint-ruled fillers and printed commercial forms, produced for use in any of the looseleaf binders or covers above specified.*

*Indexes, indexing systems, index tabs and blank division sheets for indexing purposes, to supplement any of the looseleaf binders and covers listed above.*

*Greetings cards and related products, as follows:*

Greeting cards (except resales of Christmas and New Year's nonpersonalized greeting cards).

Decorated tags, seals, and enclosures (except resales of Christmas and New Year's tags, seals and enclosures).

Printed gift wrapping papers (except resales of Christmas and New Year's printed gift wrapping papers).

Gift money holders (except resales of Christmas and New Year's gift money holders).

Mottoes.

Printed decorative paper ribbons and tapes (except resales of Christmas and New Year's printed decorative paper ribbons and tapes).

Social calendars (except for resales).

Souvenir post cards.

*Printed and engraved social stationery, as follows:*

Imprinted papeteries.

Engraved papeteries.

Book plates.

Calling cards.

Wedding invitations and announcements.

Birth announcements.

Death announcements.

All other social announcements.

*Tablets, pads and related products, as follows:*

Composition books.

Drawing papers.

Exercise books.

Graph papers.

Plain and faint-ruled loose leaf fillers.

Memorandum books.

Music books (blank).

Music papers (blank).

Note books.

Pads.

Quadrille pads and papers.

Ruled papers.

Second sheets.

Stenographers' note books.

Tablets.

Typewriter papers.



## Commercial supplies, as follows:

Bonds  
Certificates.  
Commercial calendars (except separate bases made of materials other than paper and paperboard, and except for resales).  
Commercial forms  
Commercial letter heads.  
Coupons, checks, and tickets (except pin tickets and marking machine tickets).  
Currency.  
File folders and dividers.  
Guide cards.  
Index cards.  
Labels, package wraps, and bands.  
Legal forms and contracts.  
Ruled legal papers.  
Blotters.

[§ 1347.475 as amended by Amendment 1, 7 F.R. 8929, effective 11-7-42]

§ 1347.476 *Appendix B: Services.* This Maximum Price Regulation No. 225 shall apply to the services of publishing, printing, typesetting, platemaking, binding, and related services rendered in connection with:

(a) The commodities listed in Appendix A (§ 1347.475) of this Maximum Price Regulation No. 225.

(b) All papers and paper products, other than those listed in Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 11 to the General Maximum Price Regulation and any and all amendments and supplements to said supplementary regulations now or hereafter issued, when such services are performed by persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services or any combination thereof.

§ 1347.477 *Appendix C: Exceptions to pricing provisions of §§ 1347.452 through 1347.456—(a) Sales by school stores.* (1) Maximum prices for sales of any of the items listed in Appendix A (§ 1347.475) by school stores which during March 1942 dealt in the same or similar articles shall be the cost of acquisition plus the highest percentage mark-up charged by the school store during March 1942, on the same or a similar article. Prices may be rounded to the nearest whole cent;  $\frac{1}{2}\%$  may be taken as 1¢.

(2) *Definitions.* For the purpose of this paragraph (a) of § 1347.477 only, the following definitions shall be used:

(i) "Same article" means an article identical in all respects with another article, except that it may contain a different number of sheets.

(ii) "Similar article" means a similar commodity as defined in § 1347.472 (a) (22) except that it may contain a different number of sheets.

(iii) "School store" means any store operated by an elementary or secondary school or by a board of education for the benefit of elementary or secondary school students and not for profit directly or indirectly.

[§ 1347.477 added by Amendment 3, 8 F.R. 1060, effective 1-21-43]

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4976; Filed, March 31, 1943; 4:43 p. m.]

## PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32; Amendment 4]

## PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Price Schedule No. 32 is amended in the following respects:

1. Section 1347.62 (a) is amended to read as follows:

(a) *Liners—0.016.*

	Price per M square feet
0.016—42 lb. Fourdrinier Kraft.....	\$1.32
0.016—47 lb. Fourdrinier Kraft.....	1.48
0.016—50 lb. Fourdrinier Kraft.....	1.58
0.016—52 lb. Fourdrinier Kraft.....	1.64
0.015—52-58 lb. Cylinder Kraft—100 lb. Test.....	1.82
0.016—56 lb. Fourdrinier Kraft.....	1.90
0.016—56-68 lb. Jute—100 lb. Test.....	1.92

2. Section 1347.62 (b) is amended to read as follows:

(b) *Liners heavier than 0.016.*

0.023—Jute (See Paragraph G.)	
0.023—72 lb. Fourdrinier Kraft.....	\$2.27
0.030—96-110 lb. Jute—135 lb. Test.....	3.30
0.030—90 lb. Fourdrinier Kraft.....	2.84
0.030—90-104 lb. Cylinder Kraft—135 lb. Test.....	2.88
0.030—90-106 lb. Cylinder Kraft—150 lb. Test.....	3.00
0.030—90-106 lb. Cylinder Kraft—170 lb. Test.....	3.12

3. Section 1347.62 (c) is amended to read as follows:

(c) *Liners lighter than 0.016.*

0.009—32 lb. Fourdrinier Kraft.....	\$1.09
0.012—33 lb. Fourdrinier Kraft.....	1.04
0.012—48-52 lb. Jute.....	1.63
0.014—38 lb. Fourdrinier Kraft.....	1.20
0.014—43 lb. Fourdrinier Kraft.....	1.35

4. Section 1347.62 (d) is amended to read as follows:

(d) *Corrugating grades.*

0.009—30-34 lb. Strawboard.....	\$ .96
0.009—26 lb. Fourdrinier Kraft.....	.82
0.009—26 lb. Chestnut.....	.78
0.009—25-30 lb. "Bogus" Corrugating Material.....	.90
0.009—26 lb. Canadian Sulphite and Ground Wood.....	.78

This amendment shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4974; Filed, March 31, 1943; 4:42 p. m.]

## PART 1372—SEASONAL COMMODITIES

[Rev. MPR 315]

## ARSENICAL INSECTICIDES

Maximum Price Regulation 315 is amended to read as set forth herein.

\* Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 1264, 2000, 2132, 2740, 3192, 3948, 3524.

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, issued by the President on October 3, 1942, that maximum prices for the sale of arsenical insecticides by manufacturers and distributors be established by a specific maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable, and will effectuate the purposes of the said act, as amended, and of the said executive order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

So far as practicable, the Price Administrator has ascertained and given due consideration to the prices of arsenical insecticides prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

§ 1372.201 *Maximum prices for arsenical insecticides.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order 9250, Revised Maximum Price Regulation No. 315 (Arsenical Insecticides), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1372.201 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

## REVISED MAXIMUM PRICE REGULATION 315—ARSENICAL INSECTICIDES

## CONTENTS

Sec.	
1	To what transactions and commodities this regulation applies, and the relation to other regulations.
2	Prohibition against dealing in arsenical insecticides at prices above the maximum.
3	Maximum prices which manufacturers may charge for arsenical insecticides.
4	Maximum prices which distributors may charge for arsenical insecticides.
5	Customary discounts.
6	Notification by manufacturers and distributors of price changes.
7	Petitions for amendment.
8	Evasive practices.
9	Enforcement.
10	Definitions.

SECTION 1. *To what transactions and commodities this regulation applies, and the relation to other regulations.—(a) What transactions are covered.* This regulation applies to sales of arsenical insecticides by manufacturers and by distributors, other than sales at retail. It does not apply to sales to consumers by manufacturers, distributors, or dealers, prices for which are established by Maximum Price Regulation 144, as amended.

<sup>1</sup> 7 F.R. 3720, 5665, 7248.



(b) *What commodities are covered.* The arsenical insecticides covered by this regulation are lead arsenate, calcium arsenate, Paris green, zinc arsenite, London purple, magnesium arsenate, and zinc arsenate. Other arsenical insecticides remain under the General Maximum Price Regulation.<sup>2</sup>

(c) *Exempt transactions.* This regulation does not apply to sales or deliveries of arsenical insecticides which prior to April 6, 1943, were received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the purchaser. In the case of sales by distributors, the provisions of this regulation apply only to goods shipped to them by manufacturers on or after April 6, 1943, except that lead arsenate shipped by manufacturers to distributors on or after February 8, 1943, and resold by them on or after April 6, 1943, shall be subject to the provisions of this regulation.

(d) *Geographic applicability.* The provisions of this regulation apply to the forty-eight states of the United States and to the District of Columbia.

(e) *Export sales.* The maximum prices at which a person may export arsenical insecticides shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation<sup>3</sup> issued by the Office of Price Administration.

(f) *Relation to the General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation. The following sections of the General Maximum Price Regulations, as well as amendments to them, shall apply to manufacturers and distributors of arsenical insecticides.

(1) Transfers of business or stock in trade (§ 1499.5).

(2) Federal and state taxes (§ 1499.7).

(3) Current records (§ 1499.12).

(4) Registration (§ 1499.15).

(5) Licensing (§ 1499.16).

SEC. 2. *Prohibition against dealing in arsenical insecticides at prices above the maximum.* (a) On and after April 6, 1943, regardless of any contract or obligation, no person shall sell or deliver arsenical insecticides at prices higher than the maximum prices established by this regulation. No person shall buy or receive arsenical insecticides in the course of trade or business at prices higher than the maximum prices established by this regulation, nor shall any person agree, offer, solicit, or attempt to do any of these things. However, prices lower than the maximum prices may be charged and paid.

SEC. 3. *Maximum prices which manufacturers may charge for arsenical insecticides.* (a) The maximum prices that manufacturers may charge for each arsenical insecticide, delivered to the purchaser, when sold in quantities of 96 pounds or more, shall be:

(1) *Lead arsenate.*

## STANDARD LEAD ARSENATE POWDER

Item and quantity	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to dealers
3-pound containers or larger:		
Carlots.....	\$0.11	\$0.11½
Less than carlots.....	.11½	.12
1-pound bags:		
Carlots.....	.16	.20
Less than carlots.....	.16½	.20½
1-pound cartons:		
Carlots.....	.18	.22
Less than carlots.....	.18½	.22½
½-pound cartons:		
Carlots.....	.21	.25
Less than carlots.....	.21½	.25½

## STANDARD LEAD ARSENATE PASTE

Carlots.....	\$0.05½	\$0.06
Less than carlots.....	.06	.06½

## BASIC LEAD ARSENATE POWDER

3-pound containers or larger:		
Carlots.....	\$0.11½	\$0.12
Less than carlots.....	.12	.12½
1-pound cartons:		
Carlots.....	.18½	.22½
Less than carlots.....	.19	.23

## (2) Calcium arsenate

3-pound containers or larger:		
Carlots.....	\$0.07	\$0.07½
Less than carlots.....	.07½	.08
1-pound bags:		
Carlots.....	.09½	.12½
Less than carlots.....	.10	.13
1-pound cartons:		
Carlots.....	.11½	.14½
Less than carlots.....	.12	.15
½-pound cartons:		
Carlots.....	.16½	.19½
Less than carlots.....	.17	.20

## (3) Paris green

250 to 270-pound containers:		
Carlots.....	\$0.20	\$0.25
Less than carlots.....	.21	.26
100-pound containers:		
Carlots.....	.22	.27
Less than carlots.....	.23	.28
14 to 25-pound containers:		
Carlots.....	.24	.29
Less than carlots.....	.25	.30
2 to 5-pound cartons or cans:		
Carlots.....	.26	.34
Less than carlots.....	.27	.35
1-pound cartons or cans:		
Carlots.....	.29	.37
Less than carlots.....	.30	.38
½-pound cartons or cans:		
Carlots.....	.31	.39
Less than carlots.....	.32	.40
¼-pound cartons or cans:		
Carlots.....	.33	.43
Less than carlots.....	.34	.44

## (4) Zinc arsenite

3 or 4-pound bags:		
Carlots.....	\$0.11½	\$0.13½
Less than carlots.....	.12½	.13½
1-pound bags:		
Carlots.....	.14½	.18½
Less than carlots.....	.15	.19

## (5) London purple

3 or 4-pound bags:		
Carlots.....	\$0.07	\$0.08
Less than carlots.....	.07½	.08½
1-pound cartons:		
Carlots.....	.13	.16½
Less than carlots.....	.13½	.17
½-pound cartons:		
Carlots.....	.25	.31½
Less than carlots.....	.25½	.32

## BASIC LEAD ARSENATE POWDER—Con.

## (6) Magnesium arsenate

Item and quantity	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to dealers
100-pound containers:		
Carlots.....	\$0.15½	\$0.18
Less than carlots.....	.15½	.18
2-pound bags:		
Carlots.....	.17	.20
Less than carlots.....	.17	.20
12-ounce cartons or cans:		
Carlots.....	.25½	.30
Less than carlots.....	.25½	.30

## (7) Zinc arsenate

3 or 4-pound bags:		
Carlots.....	\$0.10	\$0.11
Less than carlots.....	.10½	.11½

(b) Sales of any arsenical insecticide in quantities of less than 96 pounds may be made at the above maximum prices f. o. b. the manufacturer's factory or warehouse.

(c) Nothing in this regulation shall be construed to prevent the sale of any arsenical insecticide in quantities of 96 pounds or more, f. o. b. the manufacturer's factory or warehouse: *Provided*, That the sum of the purchase price paid by the purchaser and the transportation charges incurred in shipment to the purchaser's destination shall not exceed the maximum prices set forth in this regulation.

(d) The maximum prices set forth in this regulation for sales of arsenical insecticides to distributors are net prices to the manufacturer, after the allowance to the distributor of a functional or service fee.

SEC. 4. *Maximum prices which distributors may charge for arsenical insecticides—*(a) *If the distributor was engaged in such business in the calendar year 1942.* The maximum prices that a distributor may charge for any arsenical insecticide, on sales other than sales to consumers, shall be the maximum prices that a manufacturer may charge the distributor under the provisions of this regulation, plus the dollar-and-cent margin most frequently obtained by the distributor from a purchaser of the same class in the calendar year 1942.

(b) *If the distributor was not engaged in such business in the calendar year 1942.* If a distributor was not engaged in such business in the calendar year 1942, his maximum prices shall be the maximum prices for arsenical insecticides of his most closely competitive seller of the same class established under this regulation.

SEC. 5. *Customary discounts.* No manufacturer or distributor is permitted to change his customary discounts, unless such change results in a lower net price.

SEC. 6. *Notification by manufacturers and distributors of price changes.* If reductions or increases of the manufacturer's or distributor's maximum prices for any arsenical insecticide result from the provisions of this regulation, the manufacturer shall give noti-

<sup>2</sup> 8 F.R. 3096.

<sup>3</sup> 7 F.R. 5059, 7242, 8829, 9000, 10530.



fication of the price change to each of the distributors and dealers to whom he sells, and the distributor shall give notification of the price change to each of the dealers to whom he sells, on or before the date of the manufacturer's or distributor's first delivery of the product to such purchaser at the changed maximum prices.

(a) The notification by a manufacturer to a distributor shall read as follows, and the notification by a distributor to a dealer shall read as indicated therein:

Attached (or listed below) is a list of our ceiling prices for [names of products for which there are price changes] according to Revised Maximum Price Regulation 315. Distributor's ceilings on sales of these insecticides to dealers are to be established by adding to our ceiling prices to distributors the dollar-and-cent margin most frequently obtained by the distributor on sales to dealers in 1942. Distributors' new ceilings apply only to lead arsenate delivered to them on or after February 8, 1943 and to other arsenical insecticides delivered to them on or after April 6, 1943. If the distributor's ceiling is changed by this provision, he must send a notification to each of the dealers to whom he sells on or before the date of his first delivery to the dealer at the new ceiling price. OPA requires that the notification read as follows:

The OPA has permitted us to increase (or required us to reduce) our ceiling prices on [names of commodities affected] as follows:

[The statement shall here list the amount of price increase or reduction for each package size of each commodity for which a change in ceiling price has resulted from the provisions of the regulation.]

Dealers are permitted to increase (or required to reduce) their ceilings by the same amounts on merchandise delivered to them under our new ceiling prices. OPA requires dealers to keep a copy of this notice for examination.

(b) The notification by a manufacturer to a dealer shall read as set forth above for a distributor's notification to a dealer.

**Sec. 7. Petitions for amendment.** Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>4</sup> issued by the Office of Price Administration. In any case in which a petition for amendment may require extended consideration, the Price Administrator may, on the request of the petitioner, grant permission to the petitioner to agree to adjust prices of arsenical insecticides, delivered while the petition is pending, in accordance with the final disposition of the petition.

**Sec. 8. Evasive practices.** The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt, of or relating to arsenical insecticides, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount,

premium, or other privilege, or by tying agreement or other trade understanding, or by any other means.

**Sec. 9. Enforcement.** Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942 as amended. Persons having evidence of any violation of this regulation are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration, or with the principal office in Washington, D. C.

**Sec. 10. Definitions.** When used in this regulation, the term:

"Basic lead arsenate powder" means a chemical combination of arsenic pentoxide and lead monoxide containing not less than 22 per cent of arsenic pentoxide and not more than one part of arsenic pentoxide to 3.10 parts of lead monoxide.

"Calcium arsenate" means a material in which arsenic is present essentially as tricalcium arsenate, and which contains a minimum of 40 per cent arsenic pentoxide.

"Carlot" means 30,000 pounds or more of arsenical insecticides, except that arsenical insecticides shipped in a mixed carlot of 30,000 pounds or more of dry insecticides or fungicides shall be considered a carlot quantity.

"Dealer" in any arsenical insecticide means a person other than a manufacturer or a distributor who sells the arsenical insecticide to consumers.

"Distributor" means a person who buys any arsenical insecticide and resells it to a purchaser other than an ultimate consumer, except that a manufacturer of any arsenical insecticide may not be considered a distributor of that arsenical insecticide.

"Lead arsenate" means standard lead arsenate powder, standard lead arsenate paste, and basic lead arsenate powder.

"London purple" means a mixture of calcium arsenate and calcium arsenite in approximately the proportion of 7 parts of calcium arsenate to one part of calcium arsenite.

"Magnesium arsenate" means trimagnesium orthoarsenate ( $Mg_3(AsO_4)_2$ ) and dimagnesium orthoarsenate ( $MgHAsO_4$ ) as commercially prepared and sold as an agricultural insecticide.

"Paris green" is essentially copper acetoarsenite ( $Cu(CH_3COO)_2 \cdot 3Cu(AsO_2)_2$ ).

"Standard lead arsenate paste" means a mixture of standard lead arsenate powder and water, containing not more than 50 per cent water.

"Standard lead arsenate powder" means a dry chemical combination of arsenic pentoxide and lead monoxide containing not less than 30 per cent arsenic pentoxide.

"Zinc arsenate" means the compound  $Zn_3(AsO_4)_2$  as commercially prepared and sold as an agricultural insecticide.

"Zinc arsenite" means the compound  $Zn_3(AsO_3)_2$  as commercially prepared and sold as an agricultural insecticide.

This regulation shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4993; Filed, March 31, 1943; 4:59 p. m.]

## PART 1377—WOODEN CONTAINERS

[MPR 117,<sup>1</sup> Amendment 5]

### USED EGG CASES AND USED COMPONENT PARTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1377.16a as added by Amendment 3 is revoked, and former § 1377.16a is reinserted, to read as set forth below:

§ 1377.16a *Licensing*—(a) *License required.* A license as a condition of selling, is hereby required of every person subject to this Maximum Price Regulation No. 117 now or hereafter selling used egg cases or used component parts for which maximum prices are established by this regulation.

(b) *License granted.* Every person subject to this regulation now or hereafter selling used egg cases or used component parts for which maximum prices are established by this Maximum Price Regulation No. 117 is hereby granted a license as a condition of selling any such used egg cases or used component parts. Such license shall be effective on June 22, 1942, or when any person becomes subject to the maximum price provisions of this regulation, and shall, unless suspended as provided by the Emergency Price Control Act of 1942 continue in force so long as and to the extent that Maximum Price Regulation No. 117 or any amendment or supplement thereto remains in force.

(c) *Licensing section of General Maximum Price Regulation superseded.* This section supersedes the provisions of § 1499.16 of the General Maximum Price Regulation in so far as said § 1499.16 may be applicable to persons selling any used egg cases or used component parts.

(d) *Registration of licensees.* Every person hereby licensed may be required to register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe.

Amendment No. 5 (§ 1377.16a) shall become effective March 31, 1943. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4994; Filed, March 31, 1943; 4:58 p. m.]

## PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>2</sup> Correction to Amendment 37]

### MILEAGE RATIONING; GASOLINE REGULATIONS

Section 1394.7755 (a) (2) (ii) is amended to read as follows:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 2998, 4586, 8707, 8948, 8 F.R. 3529, 3842.

<sup>2</sup> 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 565, 607, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1613, 1895, 2098, 2213, 2288, 2359, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3255, 3253, 3254, 3254; 8 F.R. 3315.

<sup>4</sup> 7 F.R. 8961; 8 F.R. 3313, 3533.



(ii) In the event that the mileage allowed by the Board pursuant to paragraph (b) of § 1394.7754 exceeds 360 miles per month: Class C books bearing expiration dates three months from the date of issuance and containing the number of coupons specified in Table IIA in § 1394.7705 (a) (3) for the mileage allowed.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 10, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4995; Filed, March 31, 1943;  
4:59 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 4, Amendment 1]

##### FOOD COMMODITIES RESTRICTION

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Restriction Order 4 is amended in the following respects:

1. Section 1407.5009 (f) is added to read as follows:

(f) Each institutional user which is an agency of, or whose food purchases are controlled by, the Insular Government shall be entitled to receive from the board having jurisdiction its food purchase certificates (OPA Form PRF-3 revised) at the beginning of each even-numbered quota period for that period and the next succeeding, as set forth in § 1407.5009 (a) for quantities of commodities specified in this section, commencing March 22, 1943 with quota period number 2.

This amendment shall become effective on March 22, 1943 at 8:00 a. m.

(Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., W.P.B. Dir. No. 1, Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, Supp. Dir. No. 1-J, 7 F.R. 8731; E.O. 9280, 7 F.R. 10179; F.D. No. 3, 8 F.R. 2005)

Issued this 31st day of March 1943.

WILLIAM B. MEAD,  
Director,  
Office of Price Administration,  
for Puerto Rico.

[F. R. Doc. 43-4978; Filed, March 31, 1943;  
4:42 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10, Amendment 9]

##### FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith,

\*Copies may be obtained from the Office of Price Administration.

\* 8 F.R. 3417.

\* 7 F.R. 6887, 8523, 8607.

has been filed with the Division of the Federal Register.\*

Ration Order 10 is amended in the following respects:

Ration period	Stamp valid during ration period	Weight value of stamp
No. 16 Mar. 22 to Mar. 28, 1943.....	Book One, stamp 16.....	3 lbs. wheat flour.
No. 17 Mar. 29 to Apr. 14, 1943.....	Book One, stamp 22.....	3 lbs. cornmeal.
No. 18 Apr. 5 to Apr. 12, 1943.....	Book One, stamp 17.....	3 lbs. wheat flour.
	Book One, stamp 21.....	3 lbs. cornmeal.
	Book One, stamp 18.....	3 lbs. wheat flour.
	Book One, stamp 20.....	3 lbs. cornmeal.

In the municipality of St. Croix only, the value of Stamps Nos. 16, 17 and 18 is four pounds of wheat flour.

2. Section 1407.704 (a) is amended and an undesignated paragraph after the table is amended to read as follows:

(a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be as follows:

Rationed commodity:	Allowance per person
Wheat Flour.....	12 pounds per month.
Cornmeal.....	12 pounds per month.

In the municipality of St. Croix only, the "allowance per person", as to wheat flour, shall be sixteen pounds per month.

This amendment shall become effective March 22, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong., W. P. B. Dir. No. 1, Supp. Dir. No. 1-J, O. P. A. Administrative Order No. 19; 7 F.R. 562, 5043, 5148)

Issued this 20th day of March 1943.

JACOB A. ROEBLES,  
Director for the Virgin Islands.

[F. R. Doc. 43-4977; Filed, March 31, 1943;  
4:42 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 223 Under § 1499.18 (b) of GMPR]

##### COMMERCIAL MOLASSES CORPORATION

Commercial Molasses Corporation;  
Docket No. GF3-682.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1823 *Adjustment of maximum prices for beet blackstrap molasses sold by the Commercial Molasses Corporation.* (a) Commercial Molasses Corporation, New York, New York, may charge, and any person may pay \$39.50 per short ton of beet blackstrap molasses, f. o. b. tank car or tank trucks, Weehawken, New Jersey for all sales or deliveries made since Commercial Molasses Corporation filed application given Docket No. GF3-682, with the Office of Price Administration.

(b) The adjustment is granted to Commercial Molasses Corporation on the condition that purchasers from it shall not raise their maximum prices for said beet blackstrap molasses or for any product manufactured from said beet blackstrap molasses, at wholesale or retail because of the increase granted herein.

(c) All sellers are required to continue the same discounts, allowances and price

1. Section 1407.687 items 15 and 16 are amended and item 17 is added, and an undesignated paragraph after the table is amended to read as follows:

differentials as were offered in March 1942: *Provided, however,* That sellers may change their discounts, allowances and price differentials if such changes result in prices lower than the maximum prices fixed herein.

(d) All prayers of the Applicant not granted herein are denied.

(e) This Order No. 223 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 223 (§ 1499.1823) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 223 (§ 1499.1823) shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4982; Filed, March 31, 1943;  
4:45 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 16 Under § 1499.18 (c), as amended, of GMPR<sup>1</sup>]

##### HICKORY PICKER STICK BLANKS

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1516 *Adjustment of maximum prices for hickory picker stick blanks, color no defect, produced or concentrated in North Carolina and South Carolina—*

(a) *Products covered.* This amendment covers, under the term "hickory picker stick blanks, color no defect", all sizes of all-white, mixed-color, and all-red picker stick blanks manufactured or concentrated in North Carolina and South Carolina, which satisfy the following specifications:

Manufactured from live, tough, heavy weight hickory logs; and to be bright, free from all timber defects, straight and straight grained, and color no defect.

(b) *Maximum prices—*(1) *Direct mill shipments.* The maximum prices for direct mill shipments of hickory picker stick blanks, color no defect, produced in North Carolina and South Carolina are the following prices, which are f. o. b. the mill:

Dry size:	Maximum price
1" x 2" x 36".....	10¢ per blank.
1½" x 2½" x 40".....	12½¢ per blank.
All other sizes.....	\$200.00 per 1,000 bd. (figured on dry size basis).

<sup>1</sup> 8 F.R. 3096.



(2) *Concentration plant sales.* The maximum prices, f. o. b. concentration plant, for hickory picker stick blanks, color no defect, sold out of concentration plants located in North Carolina and South Carolina are the maximum prices established in subparagraph (1) plus 1¢ per blank. A concentration plant is any establishment which buys for resale picker stick blanks from primary producers.

(c) *Addition for delivery.* The seller may add to the appropriate f. o. b. maximum price the actual charge or cost paid or incurred by the seller in making delivery to the purchaser.

(d) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 16 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

This Order No. 16 shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4981; Filed, March 31, 1943;  
4:42 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amendment 154]

##### TRANSPORTATION OF FRESH MEAT, MEAT PRODUCTS OR PACKING HOUSE PRODUCTS AND SUPPLIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1499.73 (a) (91) is added to read as follows:

(91) *Transportation of fresh meat, meat products or packing house products and supplies by carriers other than common carriers—maximum prices.* (i) Carriers other than common carriers who transport shipments of fresh meat, meat products or packing house products and supplies from points of origin in Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, West Virginia or Wisconsin, may increase by not more than 8% their maximum prices established for such service at March 1942 levels pursuant to the provisions of the General Maximum Price Regulation except that where the Office of Price Administration has heretofore granted to any such carrier an adjustment of maximum prices for such service, such adjusted maximum prices may, to the extent authorized, be charged by such carrier in lieu of the maximum prices authorized herein.

(ii) Carriers who establish maximum prices pursuant to subparagraph (91) (i) above shall furnish to the Office of Price

\*Copies may be obtained from the Office of Price Administration.

Administration, Transportation and Public Utilities Division, Transportation Branch, Washington, D. C.:

(a) A statement of the maximum prices established pursuant to this amendment and the maximum March 1942 prices prescribed by the General Maximum Price Regulation for such service; such statement shall be furnished within 30 days of the establishment of maximum prices under this subparagraph.

(b) Detailed profit and loss statements by quarters, beginning with the first quarter of 1943, supported by balance sheets for the same period, together with a reconciliation statement of surplus, if the carrier is a corporation, or of net worth, if the carrier is other than a corporation; such statements shall be furnished within 30 days after the end of each quarter.

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4979; Filed, March 31, 1943;  
4:43 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[MPR 165, Amendment 1 to Supp. Service Reg. 13]

##### LAUNDRIES IN THE BUFFALO AREA

Maximum Price Regulation No. 165 as Amended<sup>1</sup>—Services, Amendment No. 1 to Supplementary Service Regulation No. 13.<sup>2</sup>

A statement of the considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.\* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, this Amendment is hereby issued.

The effective date provision is amended to read as follows:

This Supplementary Service Regulation No. 13 (§ 1499.663) shall become effective May 26, 1943.

This amendment shall become effective March 31, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4996; Filed, March 31, 1943;  
4:58 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 17 Under § 1499.3 (c) of GMPR]

##### H. C. OSWALD SUPPLY CO.

Authorization of maximum prices for certain cast-iron steam boilers for the H. C. Oswald Supply Company.

<sup>1</sup> 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8946, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324.

<sup>2</sup> 8 F.R. 3854.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,\* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and § 1499.3 (c) of the General Maximum Price Regulation, It is hereby ordered that:

§ 1499.817 *Authorization of maximum prices for certain cast-iron steam boilers for the H. C. Oswald Supply Company.* (a) The H. C. Oswald Supply Company of 1990 Park Avenue, New York, New York, a wholesaler, may sell and deliver and any person may buy and receive from H. C. Oswald Supply Company the following designated cast-iron steam boilers manufactured by the Richardson and Boynton Company, at not more than the prices indicated.

H-5-S	\$83.00
H-6-S	95.00
H-7-S	107.00
H-8-S	119.00
H-9-S	131.00
245-S	151.00
246-S	169.00
247-S	187.00
248-S	205.00
249-S	223.00
2410-S	241.00
2411-S	259.00
326-S	279.00
327-S	313.00
328-S	347.00
329-S	381.00
3210-S	415.00
3211-S	449.00
3212-S	483.00

(b) The maximum prices established under paragraph (a) above shall be subject to the same extension of discounts, the same rendition of services, and the same absorption of transportation charges which H. C. Oswald Supply Company extended, rendered or absorbed or would have extended, rendered or absorbed, to purchasers of the same class on comparable sales on March 1, 1942.

(c) All prayers in the application not herein granted are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 17 shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4980; Filed, March 31, 1943;  
4:43 p. m.]

#### Chapter XV—Board of War Communications

[Order No. 27-A]

##### PART 1722—PRECEDENCE FOR TELEGRAPH MESSAGES ESSENTIAL TO THE WAR EFFORT OR PUBLIC SAFETY

Whereas The Board of War Communications has determined that the national defense and security and the successful conduct of the war demand that certain



telegraph messages relating to the war effort and public safety be given preferred handling:

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964<sup>1</sup> of December 10, 1941, prescribing regulations governing the preference and priority of communications, and by Executive Order No. 9039<sup>2</sup> of March 6, 1942, prescribing regulations governing the use, control, supervision and closing of stations and facilities for wire communications:

It is hereby ordered, As follows:

§ 1722.1 *Precedence.* Effective February 15, 1943, all wire-line telegraph, cable and radiotelegraph carriers shall upon specific designation by the sender give precedence in the handling of telegraph, cable, and radiotelegraph messages in accordance with the provisions of and in the order set forth below:

(a) *US Urgent.* To apply to domestic and international messages filed by the War and Navy Departments and to international messages filed by the State Department and the Federal Bureau of Investigation of the Department of Justice.

(b) *OP Priority.* To apply to domestic and international messages filed only by the War and Navy Departments.

(c) *Priority.* To apply to domestic and international messages filed by the State, War, or Navy Departments and the Federal Bureau of Investigation of the Department of Justice and to any other domestic message requiring immediate transmission for war purposes or to safeguard life or property and which relates to one or more of the following matters:

Immediate dangers due to the presence of the enemy.

Emergency communications in connection with actual military or naval requirements. Hurricane, flood, earthquake, or other disaster.

Messages designated US Urgent, OP Priority, and Priority shall interrupt the transmission of all telegraph messages of lower precedence.

(d) *Rapid.* To apply to any domestic message which requires prompt transmission and delivery for the national defense and security, the successful conduct of the war, or to safeguard life or property and which involves matters of the following type:

Important governmental functions.

Machinery, tools, or raw materials for war plants.

Production, movement, and diversion of essential supplies.

Maintenance of essential public services.

Supply, movement, and diversion of food. Civilian defense or public health and safety.

§ 1722.2 *Procedure for indicating priorities.* The priority indicators "US Urgent", "OP Priority", "Priority", and "Rapid" should be written by the sender in the "To" space immediately before the address on messages being transmitted over commercial circuits. They are to be transmitted in plain language.

§ 1722.3 *Other messages.* Messages not designated with one of the foregoing priorities shall be handled in accordance with legally established classifications and tariffs on file with the Federal Communications Commission.

§ 1722.4 *Definition of domestic message.* As used in this Order, domestic message means any telegraph message originating in the Continental United States and destined to a point in the Continental United States, Canada, or Mexico.

§ 1722.5 *Priorities procedures.* The Federal Communications Commission is hereby requested and authorized in cooperation with the carriers concerned to evolve procedures and routines to effectuate the precedence and requirements set forth in this Order.

§ 1722.6 *Violations.* Any sender of a telegraph message who wilfully obtains or attempts to obtain priority for a telegraph message by fraudulently designating such message as a priority message or by furnishing false information to any telegraph carrier for the purpose of obtaining a priority, shall be subject to appropriate governmental action.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS,

JAMES LAWRENCE FLY,

Chairman.

[F. R. Doc. 43-4955; Filed, March 31, 1943; 11:43 a. m.]

### TITLE 33—NAVIGATION AND NAVIGABLE WATERS

#### Chapter I—Coast Guard Department of the Navy

##### PART 5—REGULATIONS, UNITED STATES COAST GUARD AUXILIARY<sup>1</sup>

###### MISCELLANEOUS AMENDMENTS

The regulations, United States Coast Guard Auxiliary (6 F.R. 1356), as amended, are hereby further amended as follows:

1. Section 5.1 *Definitions* is amended by revising paragraphs (h) and (i) to read as follows:

(h) "District Coast Guard Officer" means an officer in command of a Coast Guard District. When the Coast Guard is operating as part of the Navy, the words "District Coast Guard Officer" as used in these regulations shall refer to the District Coast Guard Officer in a Naval District or Naval District Sector.

(i) "Director" means the Coast Guard Officer or Coast Guard Reserve Officer assigned to the Staff of the District Coast Guard Officer to assist that officer in administering the Auxiliary.

2. Section 5.2 *Organization and administration* is amended by revising subparagraphs (2), (4), (5), (6), (8) and (16) of paragraph (b) *The Coast Guard districts* to read as follows:

(2) The New York District, with District Headquarters at New York, N. Y., comprises: The State of Connecticut;

the State of New York (not included in the Cleveland District); and the northern part of New Jersey, including counties of Mercer, Monmouth, and all counties north thereof.

(4) The Norfolk District, with District Headquarters at Norfolk, Virginia, comprises: The States of Maryland and Virginia, and the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, Pamlico, Craven, Jones, Carteret and Onslow, in North Carolina; and all United States Naval Reservations in the Islands of Bermuda.

(5) The Miami District, with district headquarters at Miami, Florida, comprises: The State of Florida, less Nassau and Duval counties and the counties west of the Apalachicola River.

(6) The New Orleans District, with district headquarters at New Orleans, Louisiana, comprises: The States of Texas and Louisiana; that part of the States of Alabama, Mississippi, and Arkansas south of latitude 34° N.; and that part of the State of Florida not included in the Miami District.

(8) The Cleveland District, with district headquarters at Cleveland, Ohio, comprises: The States of New York (west of longitude 74° 39' W. and north of latitude 42° N.), Pennsylvania (west of longitude 79° W. and north of latitude 41° N.), Ohio (north of latitude 41° N.), Michigan (not included in the Chicago District), and that part of Wisconsin and Minnesota (north of latitude 46° 20' N.).

(16) The Charleston District, with district headquarters at Charleston, South Carolina, comprises: The States of South Carolina, Georgia, and North Carolina, except the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, Pamlico, Craven, Jones, Carteret, and Onslow; the counties of Nassau and Duval in the State of Florida.

By revising the second sentence of paragraph (d) *Use of members in administration* to read as follows:

Any member performing such service shall, upon authorization by the Commandant, be entitled to actual necessary traveling expense, including subsistence or a per diem in lieu thereof, as prescribed for civilian employees of the Government.

By revising subparagraphs (1), (2) and (5) of paragraph (e) to read as follows:

(e) *District board—(1) Composition.* The district board, shall be composed of the district Coast Guard Officer, the Director, the Commodore, the Vice-Commodore, and a representative from each division within the district, except that the Commodore and the Vice-Commodore shall, when available for this duty, serve as representatives of their respective divisions.

The Captain of each division, or a member of his division designated by him, shall, except for the two divisions of which the Commodore and the Vice-Commodore are members, serve as division representatives on the district board. When the Commodore, or the Vice-Commodore is not able to attend a meeting

<sup>1</sup> 6 F.R. 6367.

<sup>2</sup> 7 F.R. 1777.

<sup>1</sup> 6 F.R. 1356, 5595; 7 F.R. 2868, 4765.



of the district board, the Captain of the division of which such Commodore or Vice-Commodore is a member, shall himself serve, or shall appoint a member of his division to serve, as division representative for that board meeting. Each member of the district board shall have one vote.

(2) *Election of officers.* The division representatives shall, at some time prior to December 1st of each year, elect two district officers to serve for the ensuing calendar year. These two officers shall not be members of the same division. The titles of these officers shall be in the following order of precedence: Commodore; Vice-Commodore.

(5) *Officers, term of office.* A member of the Auxiliary elected to the office of Commodore or Vice-Commodore, shall hold office for the calendar year following date of election. Vacancies in these two offices, caused by death or resignation, shall be filled by election by the district board.

By revising subparagraphs (1), (2) and (5) of paragraph (f) to read as follows:

(1) *Division board—(1) Composition.* The division board shall be composed of the division Captain, Vice-Captain, Junior Captain, and a representative from each flotilla in the division except that the division Captain, Vice-Captain and Junior Captain shall, when available for this duty, serve as representatives of their respective flotillas. The district Coast Guard officer, Director, and Commodore shall be ex-officio members of each division board within the district.

The Commander of each flotilla, or a member of his flotilla designated by him, shall except for the three flotillas of which the Captain, Vice-Captain and Junior Captain are members, serve as flotilla representatives on the division board. When the Captain, or the Vice-Captain or the Junior Captain, is not able to attend a meeting of the division board, the Commander of the flotilla of which such Captain, Vice-Captain or Junior Captain is a member, shall himself serve, or shall appoint a member of his flotilla to serve as flotilla representative for that board meeting. Each member of the division board shall have one vote for each group of ten members of his flotilla and one additional vote for a group of less than ten but more than five members.

(2) *Election of officers.* The flotilla representatives shall, at some time prior to November 1st of each year, elect three division officers to serve for the ensuing calendar year. No two of these officers shall be members of the same flotilla. The titles of these officers shall be in the following order of precedence: Captain; Vice-Captain; Junior Captain.

(5) *Officers, term of office.* A member of the auxiliary elected to the office of Captain, Vice-Captain or Junior Captain shall hold office for the calendar year following date of election. Vacancies in these three offices caused by death or resignation shall be filled by election by the division board.

By adding the following at the end of subparagraph (1) of paragraph (g) *Flotilla:*

Associate memberships may be granted to citizens of the United States who are

potential crew members of vessels in a flotilla and who show the proper interest in Auxiliary instruction activities. Associate members shall have all the rights and privileges of regular members, with the following exceptions: (i) They shall not have the right to vote; (ii) they may not hold office; and (iii) Auxiliary flags and pennants may not be flown on a vessel when only associate members are aboard. The applications for enrollment and all other records in connection with associate memberships shall be handled in the same manner as for regular memberships. The membership certificate and identification card issued associate members shall have the words "Associate Member" stamped prominently across the face thereof. The number of associate members in a flotilla shall not exceed the number of regular members of the flotilla, except in such cases where it may be necessary to increase this number to adequately take care of required or anticipated operations.

And by revising subparagraphs (2) and (5) of paragraph (g) to read as follows:

(2) *Personnel, election of officers.* The regular members of each flotilla shall, at some time prior to October 15th of each year, elect three flotilla officers to serve for the ensuing calendar year. The titles of these officers shall be in the following order of precedence: Commander; Vice-Commander; Junior Commander.

A secretary shall be appointed by the Flotilla Commander and he may be one of the officers of the flotilla.

(5) *Officers, term of office.* A member of the Auxiliary elected to the office of Commander, Vice-Commander or Junior Commander shall hold office for the calendar year following date of election.

3. Section 5.3 *Personnel* is amended by revising paragraph (a) to read as follows:

(a) *Eligibility.* Any citizen, over 18 years of age, who owns not less than a twenty-five per cent interest in any yacht or motorboat shall be eligible for membership in the Auxiliary, subject to the regulations as hereinafter set forth.

By revising the language preceding subparagraph (1) of paragraph (e) to read as follows:

(e) *Advancement.* Two lines of advancement, those of Deck and Engineering, are established. The designations in these specialties will be as follows:

**Deck:**

Senior Navigator  
Master Navigator—Master Pilot

**Engineer:**

Engineer  
Senior Engineer  
Master Engineer

By adding the following subparagraph (4) at the end of paragraph (e):

(4) A member to be eligible for advancement to the designation of master pilot must have the same qualifications required for the rating of master navigator, except that the member will not be required to have knowledge of Celestial Navigation. He must, however, produce satisfactory evidence that he has

successfully completed all the courses for the rating of master navigator and that he has had not less than five years of experience in the active operation of small vessels.

By revising paragraph (g) to read as follows:

(g) *Method of advancement.* The district Coast Guard officer shall designate at least one date each year for the examination of members for advancement. Each member shall be advised of the dates of the examinations to be held and shall, if he desires advancement, make application to the district Coast Guard officer in writing for examination.

The district Coast Guard officer shall convene an Examining Board of not less than three members, at least one of whom shall be the Director and the remainder commissioned Coast Guard officers or members of the Auxiliary who have been awarded the designation for which the examination is to be held.

The Examining Board shall prepare the examination questions, grade the papers, investigate the eligibility of each applicant for advancement and notify the district Coast Guard officer of the results obtained. The written examination may be supervised by a sub-board, which sub-board shall transmit the examination papers to the Examining Board.

Members who qualify in all respects for advancement will be recommended by the district Coast Guard officer to the Commandant for advancement.

Upon receipt of the recommendation, the Commandant will appoint the member to the proper designation.

Members who fail to attain a passing mark in any examination shall be so notified, and will be entitled to be re-examined on the next designated examination date.

By adding the following subparagraphs (6) and (7) of paragraph (i) *Disenrollment* immediately following subparagraph (5):

(6) An associate member shall be disenrolled (i) on request, for cause, (ii) upon direction of the district Coast Guard officer.

(7) Upon the death of a member.

By adding the following sentence at the end of paragraph (i):

The District Board shall have the power to delegate its authority to hold hearings to a board appointed by the district Coast Guard officer.

4. Section 5.4 *Vessels* is amended by adding the following sentence at the end of paragraph (c) *Merit designation:*

The number of vessels awarded the merit rating of "Excellent" in any one flotilla shall not exceed the number nearest to 40% of the total number of vessels in the flotilla.

5. Sections 5.6 *Flags, pennants, and insignia* is amended by revising paragraph (d) to read as follows:

(d) *Insignia.* The insignia for members shall consist of the emblem of the Auxiliary in gold metal or gold colored



metal except that the space not occupied by the gold letters within the two concentric circles shall be of dark blue enamel.

(55 Stat. 9; 14 U.S.C. 260)

R. R. WAESCHE,  
Commandant.

Approved:

FRANK KNOX,  
Secretary of the Navy.  
MARCH 30, 1943.

[F. R. Doc. 43-4970; Filed, March 31, 1943;  
11:04 a. m.]

#### TITLE 41—PUBLIC CONTRACTS

##### Chapter II—Division of Public Contracts

##### PART 201—PROCEDURE FOR THE STIPULATION OF CONDITIONS IN GOVERNMENT PURCHASE CONTRACTS

###### RECORDS OF INJURY FREQUENCY RATES

Addition of § 201.502 to regulations for administration of the Act of June 30, 1936, Public No. 846, 74th Congress.

By virtue of the authority vested in me by section 4 of the Act approved June 30, 1936, 49 Stat. 2036, 41 U.S.C., secs. 35-45, I hereby amend Regulations No. 504, prescribed by me under Public Act No. 846, Seventy-fourth Congress (Series A), by the addition of the following section which shall become effective May 1, 1943:

§ 201.502 *Records of injury frequency rates.* Every person who is or shall become a party to a Government contract which is subject to the provisions of the Walsh-Healey Public Contracts Act and the Regulations thereunder, or who is performing or shall perform any part of such contract subject to the provisions of such Act or Regulations, shall maintain the records specified below which shall be available for inspection by authorized representatives of the Secretary of Labor:

(a) Records of injury frequency rates as defined in paragraphs (b) and (c) below, calculated quarterly on a calendar basis commencing the first of January of each year;

(b) The injury frequency rate shall be the number of disabling injuries to all employees per 1,000,000 manhours of exposure, obtained by multiplying the total number of disabling injuries by 1,000,000 and dividing that sum by the total manhours of exposure;

(c) For the purpose of this section (1) "disabling injury" is one which causes disability to any employee extending beyond the day or shift during which the injury occurred, (2) "total manhours of exposure" shall be the total manhours actually worked by all employees during the quarter, (3) "employee" shall mean any employee in any department of the factory or establishment, including protection, maintenance, transportation, clerical, office and sales, regardless of whether such employee is engaged in the performance of a contract subject to this Act.

Such records shall be kept on file for at least four years after the date of entry thereof.

Dated: March 20, 1943.

FRANCES PERKINS,  
Secretary of Labor.

[F. R. Doc. 43-4943; Filed, March 31, 1943;  
10:57 a. m.]

#### TITLE 46—SHIPPING

##### Chapter II—Coast Guard: Inspection and Navigation

###### APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4418, 4426, 4433, 4438, 4440, 4481, 4482, 4483, 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, 54 Stat. 1028 (46 U.S.C. 375, 391a, 392, 404, 411, 224, 228, 474, 475, 481, 489, 367, 526-526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation Regulations, and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter C—Motorboats, and Certain Vessels Propelled by Machinery Other Than by Steam More Than 65 Feet in Length

###### PART 28—SPECIFICATIONS AND PROCEDURE FOR APPROVAL OF EQUIPMENT

Section 28.4-4 (g) is amended to read as follows:

§ 28.4-4 *Specifications for block-cork life preserver.* \* \* \*

(g) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

Section 28.4-5 (g) is amended to read as follows:

§ 28.4-5 *Specifications for balsa-wood life preserver.* \* \* \*

(g) *Stitching.* This shall be the same as provided in § 28.4-4 (g).

###### Subchapter D—Tank Vessels

###### PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

Section 37.6-4 (g) is amended to read as follows:

§ 37.6-4 *Specifications for standard type block-cork life preserver.* \* \* \*

(g) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

Section 37.6-5 (g) is amended to read as follows:

§ 37.6-5 *Specifications for standard type balsa-wood life preserver.* \* \* \*

(g) *Stitching.* This shall be the same as provided in § 37.6-4 (g).

###### Subchapter F—Marine Engineering

###### PART 52—CONSTRUCTION

Section 52.6-3 (j) is amended to read as follows:

§ 52.6-3 *Materials and workmanship.* \* \* \*

(j) The minimum width of bearing surface for a gasket on a manhole opening shall be one-half inch. No gasket for use on a manhole or handhole of any boiler shall have a thickness greater than one-fourth inch, when compressed.

Section 52.11-4 (g) is amended to read as follows:

§ 52.11-4 *Detail requirements.* \* \* \*

(g) Corrugated furnaces may be manufactured by any approved process of forge or fusion welding. Where fusion welding is employed in making the longitudinal joints, the following modifications in the requirements for Class I fusion welding will be acceptable:

(1) The customary test plates need not be furnished provided each furnace has sufficient material left on one end to obtain a satisfactory guided side bend specimen, which shall not be detached until all work and heat treatment on the furnace has been completed.

(2) Radiographic examination of the furnace seam, either before or after corrugations are formed, is not required, but will be accepted in lieu of the guided side bend specimen. If radiographs are taken, they shall be examined by and acceptable to an inspector.

###### Subchapter G—Ocean and Coastwise: General Rules and Regulations

###### PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

Sections 59.55 (f) (7) and (g) (7) are amended to read as follows:

§ 59.55 *Life preservers.* \* \* \*

(f) *Specifications for standard type block-cork life preserver.* \* \* \*

(7) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

(g) *Specifications for standard type balsa-wood life preserver.* \* \* \*

(7) *Stitching.* This shall be the same as provided in § 59.55 (f) (7).

###### PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

Sections 60.48 (f) (7) and (g) (7) are amended to read as follows:

§ 60.48 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)



Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Sections 76.52 (f) (7) and (g) (7) are amended to read as follows:

§ 76.52 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

Subchapter I—Rays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Sections 94.52 (f) (7) and (g) (7) are amended to read as follows:

§ 94.52 *Life preservers.* (See § 59.55 of this chapter, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.13 is amended by changing the first paragraph thereof to read as follows:

§ 113.13 *Construction of metallic lifeboats.* Metallic lifeboats 20 feet in length and under shall be constructed of metal of not less thickness than No. 18 B. W. G. Metallic lifeboats of over 20 and not over 24 feet in length shall have a thickness of metal of not less than No. 16 B. W. G. Metallic lifeboats over 24 feet in length shall be constructed of metal of not less thickness than No. 14 B. W. G.

Sections 113.44 (f) (7) and (g) (7) are amended to read as follows:

§ 113.44 *Life preservers.* \* \* \*  
(f) *Specifications for standard type block-cork life preserver.* \* \* \*

(7) *Stitching.* All seams and other machine sewing shall be made with a short lock stitch with not less than 8 stitches to the inch. The lower longitudinal edge of the covering seam shall be turned to a roll and closely rope stitched or it may be machine sewn with a short lock stitch with not less than 8 stitches to the inch.

(g) *Specifications for standard type balsa-wood life preserver.* \* \* \*

(7) *Stitching.* This shall be the same as provided in § 113.44 (f) (7).

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Section 153.6 (u) is amended to read as follows:

§ 153.6 *Additional equipment for life boats on ocean and coastwise vessels.* \* \* \*

(u) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors having approximately 20 square inches of reflecting surface. The mirrors shall be wrapped in a waterproof container plainly marked "Signaling mirrors".

On and after 1 May 1943 all signaling mirrors supplied as new or replacement equipment shall be of an approved type.

Section 153.7 (i) is amended to read as follows:

§ 153.7 *Additional equipment for life rafts on ocean and coastwise vessels.* \* \* \*

(i) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors having approximately 20 square inches of reflecting surface. The mirrors shall be wrapped in a waterproof container plainly marked "Signaling mirrors".

On and after 1 May 1943 all signaling mirrors supplied as new or replacement equipment shall be of an approved type.

Section 153.7 is further amended by the addition of a new paragraph (k) reading as follows:

(k) *Daytime distress signals.* Four self-contained smoke signals of an approved type. Such signals shall be positively and easily operated and under adverse weather conditions, shall produce, while floating on the surface of the water, smoke in sufficient intensity, volume, and color as to be easily visible from aircraft.

Part 153 is amended by the addition of a new § 153.21a reading as follows:

§ 153.21a *Portable electric megaphones.* Mechanically propelled ocean and coastwise vessels of 3,000 gross tons and over shall be equipped with two approved self-contained electric portable megaphone units for communication purposes in the event of failure of the regular interior communication systems. Each unit shall be provided with an extra set of tubes and batteries packaged in a suitable container.

PART 155—LICENSED OFFICERS AND CERTIFICATED MEN; REGULATIONS DURING EMERGENCY

Section 155.34 (a) is amended to read as follows:

§ 155.34 *Inland mates of rivers, steam or motor vessels.* \* \* \*

(a) Whenever any person presents himself for examination for license as mate of inland or river steamers the Merchant Marine Inspector in Charge shall examine him as to his knowledge, experience, and skill in loading cargo and in handling and stowage of freight, his knowledge of the operation and handling of fire apparatus, the launching and handling of lifeboats, his knowledge of life preservers and the method of adjusting them, his ability to manage the crew and direct and advise the passengers in case of emergency, and his general familiarity with his duties in maintaining discipline and protecting the passengers, and if found qualified he shall grant him a license as such, but no such license shall be granted to any person who has not had at least eighteen months' experience in the deck department of a steam vessel, sail vessel, motor vessel, or barge consort, six months of such service to have been in a steam or motor vessel.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

SAFETY VALVES

Consolidated Type 1426-M Duplex Safety Valve, 2", 2½", 3" and 4" types (Dwg. Nos. F-6209-R, F-6225-T, F-6174-AC, and F-6285-F) (Maximum working pressure of 250 pounds per square inch and maximum temperature of 406° F.), manufactured by Consolidated Safety Valve Division, Manning, Maxwell & Moore, Inc., Bridgeport, Conn.

LOW-PRESSURE HEATING BOILER

Hot water boiler, class OB (Dwg. No. G-235, dated 23 April 1942) (Maximum working pressure of 30 pounds per square inch), manufactured by Bethlehem Foundry & Machine Company, Bethlehem, Pa.

LIFEBOAT WINCH

Model DM lifeboat winch (Dwgs. Nos. 1201 RT-183 and 1202 RT-183, both dated 27 July 1942) (Working load of 1,920 pounds direct pull on each drum), manufactured by Frank Morrison & Son Company, Cleveland, Ohio.

LIFE RAFTS

20-person improved type life raft (General Arrangement Dwg. No. 4US-303, dated 22 February 1943), manufactured by Globe American Corporation, Kokomo, Indiana.

Taylor life raft, Model II, 20 persons (Plan No. R-101), manufactured by W. J. Jaeger Furniture Company, Los Angeles, California.

BILGE PUMPS FOR LIFEBOATS

Bilge pump for lifeboats (Size U. S. C. G. No. 2) (Dwg. Fig. 965, dated 26 February 1943, revised 27 February 1943), manufactured by Goulds Pumps, Inc., Seneca Falls, New York.

No. 1 Wing pump for lifeboats (Size U. S. C. G. No. 1) (Dwg. No. 81, dated 8 January 1943), manufactured by Allied Marine Equipment Division of Taprite Products Corporation, Hackensack, N. J.

No. 1570, Size 1, lifeboat bilge pump, (Size U. S. C. G. No. 2) (Dwg. No. R-4232½, dated 20 February 1943, issued 22 February 1943), manufactured by The Deming Co., Salem, Ohio.

RING LIFE BUOYS

Type B cork ring life buoy, Approval No. B-174; Type B balsa wood ring life buoy, Approval No. B-178; Type C cork ring life buoy, Approval No. B-179; and Type C balsa wood ring life buoy, Approval No. B-180 (Drawing No. 14, dated 23 November 1942), manufactured by Atlantic-Pacific Mfg. Corp., Brooklyn, N. Y.

LIFE PRESERVERS

Adult quilted type kapok life preserver (Dwg. Fig. No. 104, dated 7 December 1942), Approval No. B-181, manufactured by Atlantic-Pacific Manufacturing Corporation, Brooklyn, N. Y.

PORTABLE ELECTRIC MEGAPHONES

Portable Electric Megaphone and Amplifier, Serial No. 1274 (Dwg. Nos. G-925, G-926, H-981 and H-993), manufactured by Guided Radio Corporation, New York, N. Y.

FIRE-RESISTIVE SUBSTANCE

Textilco fire and weather resistant treatment of cotton drill for life preserver cover fabric, manufactured by Textileather Corporation, Toledo, Ohio.



**LUMINOUS CLOTH OR TAPE FOR MAKING INTERIOR ACCOMMODATIONS, ETC.**

Type A luminous tape, manufactured by Century Lighting, Inc., New York, N. Y.  
Type A luminous tape, manufactured by E. I. DuPont de Nemours & Company, New York, N. Y.

**DAYTIME DISTRESS SIGNALS (SMOKE)**

Jackson's Daytime Distress Signal, Model No. 1, manufactured by Samuel Jackson's Sons, Inc., Bristol, Pa.

R. R. WAESCHE,  
Commandant.

MARCH 30, 1943.

[F. R. Doc. 43-4945; Filed, March 31, 1943;  
11:04 a. m.]

**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter II—Office of Defense Transportation**

[Suspension Order ODT 15, Rev.-4]

**PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS, SUSPENSIONS, AND PERMITS**

**SUBPART E—TRANSPORTATION OF COAL BETWEEN UNITED STATES PORTS ON THE ATLANTIC OCEAN**

Pursuant to § 502.37 of General Order ODT 15, Revised,

It is hereby ordered, That:

§ 522.628 *Suspension of provisions of § 502.31 (b) of General Order ODT 15, Revised.* All provisions of § 502.31 (b) of General Order ODT 15, Revised, shall be and the same are hereby suspended until further order of the Office of Defense Transportation.

(E.O. 9899, 6 F.R. 6725; Gen. Order ODT 15, Revised, 7 F.R. 10487.)

Issued at Washington, D. C., this 31st day of March 1943.

JOSEPH B. EASTMAN,  
Director.

[F. R. Doc. 43-4944; Filed, March 31, 1943;  
10:56 a. m.]

**Notices**

**TREASURY DEPARTMENT.**

Fiscal Service, Bureau of the Public Debt.

[1943 Dept. Circ. 712]

**2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B**

**PARTIAL REDEMPTION BEFORE MATURITY, NINTH CALL**

MARCH 27, 1943.

I. Notice of ninth call for partial redemption, before maturity, of 2¾ percent Mutual Mortgage Insurance Fund Debentures, Series B. The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with re-

**spect to 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:**

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1943, on which date interest on such debentures shall cease:

Denomination:	Serial numbers (all numbers inclusive)
\$50-----	1,457 to 1,511
\$100-----	5,280 to 5,554
\$500-----	1,706 to 1,769
\$1,000-----	6,470 to 6,757
\$5,000-----	453 to 485
\$10,000-----	47 to 49

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1943, and provision will be made for the payment of final interest due July 1, 1943, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1 to June 30, 1943, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1943, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. *Transactions in ninth-called debentures.* 1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1943, are hereby designated ninth-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, and are herein-after referred to as ninth-called debentures.

2. Transfers and denominational exchanges in ninth-called debentures will terminate at the close of business on March 31, 1943.

III. *Redemption or purchase.* 1. Holders of ninth-called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1943, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on ninth-called debentures will cease on July 1, 1943.

2. Holders of ninth-called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1943, inclusive, for purchase at par and accrued interest, at the rate of \$0.075967 per \$1,000 per day from January 1, 1943, to date of purchase.

IV. *Rules and regulations governing redemption and purchase.* 1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of ninth-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treas-

ury, the assignment, redemption, and purchase of ninth-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Ninth-called debentures presented for redemption on July 1, 1943, or for purchase from April 1 to June 30, 1943, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., accompanied by appropriate written advice. (Use Form PD 1834 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1943, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of \_\_\_\_\_," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any ninth-called debentures, whether purchased prior to or redeemed on or after July 1, 1943, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

<sup>1</sup> Filed as part of the original document.



7. A ninth-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1943, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1943, and in case of assignments for redemption on or after July 1, 1943, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of ninth-called debentures on July 1, 1943, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1943. Such early presentation by holders will insure prompt payment of principal and interest when due.

V. General provisions. 1. Any further information which may be desired regarding the redemption of ninth-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of ninth-called debentures.

[SEAL] D. W. BELL,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-4941; Filed, March 31, 1943;  
10:31 a. m.]

[1943 Dept. Circ. 713]

## 2¾ PERCENT HOUSING INSURANCE FUND DEBENTURES, SERIES D

PARTIAL REDEMPTION BEFORE MATURITY  
MARCH 27, 1943.

1. Notice of call for partial redemption, before maturity, of 2¾ percent Housing Insurance Fund Debentures,

Series D. The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Housing Insurance Fund debentures, Series D:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Housing Insurance Fund debentures, Series D, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1943, on which date interest on such debentures shall cease:

Denomination:	Serial numbers (All numbers inclusive)
\$50	1
\$100	1 to 3
\$500	1
\$1,000	1 to 3
\$5,000	1
\$10,000	1 to 161

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1943. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1943, and provision will be made for the payment of final interest due July 1, 1943, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1 to June 30, 1943, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1943, or for purchase prior to that date will be given by the Secretary of the Treasury.

### II. Transactions in called debentures.

1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1943, are hereby designated called 2¾ percent Housing Insurance Fund debentures, Series D, and are hereinafter referred to as called debentures.

2. Transfers and denominational exchanges in called debentures will terminate at the close of business on March 31, 1943.

### III. Redemption or purchase.

1. Holders of called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1943, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on called debentures will cease on July 1, 1943.

2. Holders of called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1943, inclusive, for purchase at par and accrued interest, at the rate of \$0.075967 per \$1,000 per day from January 1, 1943, to date of purchase.

### IV. Rules and regulations governing redemption and purchase.

1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and ap-

proved by the Secretary of the Treasury, the assignment, redemption, and purchase of called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Called debentures presented for redemption on July 1, 1943, or for purchase from April 1 to June 30, 1943, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., accompanied by appropriate written advice. (Use Form PD 1835 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1943, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of \_\_\_\_\_," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any called debentures, whether purchased prior to or redeemed on or after July 1, 1943, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

<sup>1</sup> Filed as part of the original document.



7. A called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1943, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officers' authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1943, and in case of assignments for redemption on or after July 1, 1943, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of called debentures on July 1, 1943, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1943. Such early presentation by holders will insure prompt payment of principal and interest when due.

V. *General provisions.* 1. Any further information which may be desired regarding the redemption of called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of called debentures.

[SEAL] D. W. BELL,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-4942; Filed, March 31, 1943;  
10:31 a. m.]

## DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1508-FD]

INDIANA COALS CORP.

ORDER OF THE DIRECTOR

In the matter of the application of the Indiana Coals Corporation for provi-

sional approval as a marketing agency.

Upon the basis set forth in the memorandum opinion of the Director, filed simultaneously herewith, wherein it appears that certain conditions of the order of May 27, 1941, as amended, should be suspended at this time;

*It is ordered,* That Conditions 2, 4 and 7 of the order of May 27, 1941, as amended, be suspended until further order of the Director.

*It is further ordered,* That the provisional approval of applicant as a marketing agency, heretofore granted by order of the Director dated May 27, 1941, as amended from time to time and as amended herein, be continued until further order of the Director.

*It is further ordered,* That the supplemental motion of applicant filed March 19, 1943, is granted to the extent set forth above and is in all other respects denied.

Dated: March 30, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-4940; Filed March 31, 1943;  
10:42 a. m.]

[Docket No. A-78]

TECUMSEH COAL CORP.

ORDER POSTPONING HEARING

In the matter of the petition of Tecumseh Coal Corporation for revision of the effective minimum prices for the coals of Mine Index No. 105, District No. 11, in Size Groups Nos. 17-25, inclusive, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Tecumseh Coal Corporation, the original petitioner, and District Board No. 11, an intervenor, having moved that the hearing in the above-entitled matter, heretofore scheduled to be held on April 6, 1943, be postponed, and having shown good cause therefore;

*Now, therefore, it is ordered,* That the hearing in the above-entitled matter, heretofore scheduled to be held on April 6, 1943, be, and the same hereby is postponed until further order.

Dated: March 30, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-4939; Filed, March 31, 1943;  
10:42 a. m.]

[Docket No. A-1897]

DISTRICT BOARD NO. 2

ORDER ADVANCING HEARING

In the matter of the petition of District Board No. 2 for the establishment of an additional price exception in the schedule of effective minimum prices for District No. 2 for all shipments except truck.

The above entitled matter having been heretofore scheduled for hearing on April 13, 1943 at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. by an order issued herein on March 16, 1943; and

A request that said hearing be advanced to April 7, 1943, having been filed herein by the above named petitioner; and

The Director being of the opinion that good cause for the granting of said request has been shown, and that said hearing should be advanced;

*Now, therefore, it is ordered,* That said request be, and the same hereby is granted and that said hearing be, and the same hereby is advanced from April 13, 1943 at 10 o'clock in the forenoon of that day to April 7, 1943 at 10 o'clock in the forenoon of that day at the place and before the officer heretofore designated.

*It is further ordered,* That the order issued herein on March 16, 1943 shall, in all other respects, remain in full force and effect.

Dated: March 31, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-5036; Filed, April 1, 1943;  
11:05 a. m.]

Bureau of Mines.

JOHNS BROTHERS, LICENSEE

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following findings of fact:

1. On February 22, 1943, a specification of charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and the regulations pursuant thereto of which you were accused, was mailed to you giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 30 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Arnegard, North Dakota, does not exceed 5 days. The only answer from you was dated March 3 and received March 8. You have not denied that on November 10, 1942, and again on January 4, 1943, you were storing explosives in a manner not adequately protecting them against the risk of theft, or that you thereby violated section 17 (a) of the regulations. You have not denied that on November 10, 1942, and again on January 4, 1943, you failed to post on premises where you stored explosives a sign containing the words "Explosives—Keep Off," or that you thereby violated section 12 of the act and section 17 (b) of the regulations. You have not denied that you failed and refused to reply to a letter dated January 15, 1943, from the Explosives Control Division requiring a reply within 15 days from its date, or that you thereby violated section 10 of the act. You have not offered any excuse or justification for any of the above violations, although you allege that you now store explosives



properly. You have denied the charge that you have not kept full and detailed records of your transactions in explosives as required by section 5 of the act and section 14 (d) of the regulations, but you have not submitted a copy of your records as evidence of your allegation that they have been sufficient. You have not requested a hearing.

3. The charges against you are true.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and § 301.22 of the regulations thereunder (7 F. R. 5901), I hereby order, That Vendor's License No. 130.230, and all other licenses, if any, issued under the Federal Explosives Act to you individually or as a partnership be and they are hereby revoked as of midnight April 10, 1943.

That prior to midnight April 10, 1943, you shall dispose of all of your explosives or ingredients thereof by selling or otherwise disposing of them to persons licensed under the Federal Explosives Act, or by destroying them.

That prior to midnight April 10, 1943, you shall surrender all licenses and certified or photographic copies thereof, if any, issued to you under the Federal Explosives Act, by delivering or mailing them to me at the Interior Building, Washington, D. C.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated: March 27th, 1943.

R. R. SAYERS,  
Director.

[F. R. Doc. 43-4969; Filed, March 31, 1943;  
2:57 p. m.]

#### W. A. SANDEFUR MERCANTILE CO.

#### ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

Based upon the records in this matter, I, R. R. Sayers, Director of the Bureau of Mines, make the following

#### Findings of Fact

1. On March 1, 1943, a Specification of Charges against you, setting forth violations of the Federal Explosives Act (55 Stat. 863) and regulations pursuant thereto of which you were accused, was mailed to you at the above, your last known address, giving you notice to mail an answer within 15 days demanding a hearing if you wished to be heard on the charges against you.

2. More than 25 days have elapsed since the giving of said notice. The length of time required for mail to be delivered to the Bureau of Mines, Washington, D. C., from Vandervoort, Arkansas, does not exceed five days. The only answer from you was dated March 7 and received March 10. You have not denied

that on July 2, 1942, and again on September 18, 1942, you were storing explosives in a manner not adequately protecting them against the risk of theft, or that by such storage you violated section 17 (a) of the regulations. You have not denied that you have failed to keep a full, detailed and tabulated record of your transactions in explosives, or that by such failure you violated section 5 of the act and section 14 (d) of the regulations. You have not denied that you failed and refused to reply to a letter from the Explosives Control Division, dated August 31, 1942, or that by such failure you violated section 10 of the act. You have not offered any excuse or justification for any of the above violations. You have not denied that you failed and refused to reply to a letter from the Explosives Control Division, dated January 23, 1943, requiring a reply within 15 days from its date, or that you thereby violated section 10 of the act, although you have sought to excuse that violation by an allegation that you failed to see the letter. Your answer alleges that you have destroyed the caps formerly in your possession, that you have buried the dynamite formerly in your possession, which you allege was damaged and deteriorated, and that you have no other explosives in your possession. You have not requested a hearing.

3. The charges against you are true. The excuse offered by you for your failure to reply to the letter of January 23 is insufficient. The dynamite which you buried has not been destroyed. It is still in your possession and is kept in violation of section 17 (a) of the regulations.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act (55 Stat. 863) and section 22 of the regulations thereunder (7 F. R. 5901), I hereby

#### Order

1. That Vendor's License No. 131197 and all other licenses, if any, issued to you under the Federal Explosives Act be and they are hereby revoked as of the date of this order, except that you will be allowed not to exceed ten days thereafter within which to comply with the second and third provisions of this order;

2. That within ten days from the date of this order, you shall dispose of all the dynamite which you have buried in the ground by destroying it or having it destroyed;

3. That within ten days from the date of this order, you shall surrender all licenses and certified or photographic copies thereof, if any, issued to you under the Federal Explosives Act, by delivering or mailing the same to me at the Interior Building, Washington, D. C., attaching to the licenses a sworn statement showing the manner of destruction of the buried dynamite, and that you have no more explosives or ingredients in your possession.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act, punishable by a fine of not more than \$5,000 or by imprisonment for not more

than one year, or by both such fine and imprisonment.

Dated: March 30, 1943.

R. R. SAYERS,  
Director.

[F. R. Doc. 43-5040; Filed, April 1, 1943;  
11:22 a. m.]

#### General Land Office.

[Stock Driveway Withdrawal 144, Wyo. 18]

#### WYOMING

#### STOCK DRIVEWAY WITHDRAWAL ENLARGEMENT

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C., title 43, sec. 300), It is ordered, As follows:

The following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 144, Wyoming No. 18:

#### SIXTH PRINCIPAL MERIDIAN

T. 32 N., R. 82 W.,  
Sec. 26, SW¼;  
Sec. 27, E½SE¼;  
Sec. 34, E½SE¼;  
Sec. 35, W½.

The area described aggregates 640 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.  
March 19, 1943.

[F. R. Doc. 43-5041; Filed, April 1, 1943;  
11:22 a. m.]

#### DEPARTMENT OF AGRICULTURE.

#### Food Distribution Administration.

E. S. WATERBURY

#### DELEGATION OF AUTHORITY

Order delegating to E. S. Waterbury, Administrator, Food Distribution Order 28, authority to perform certain functions.

1. Pursuant to the authority vested in me by Food Distribution Order 28, dated March 5, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, E. S. Waterbury, an employee of the United States Department of Agriculture, and the Administrator of Food Distribution Order 28, is hereby authorized to perform, subject to such



instructions with respect to policy and procedure as may from time to time be issued by the Director or by the Deputy Director, the following functions which the Director of Food Distribution is now authorized or required to perform:

(a) To issue authorizations to processors to purchase meats required to be set aside and reserved pursuant to Food Distribution Order 28.

(b) To allocate, through written notices, to or among governmental agencies and authorized processors, meats required to be set aside and reserved pursuant to Food Distribution Order 28.

(c) To specify, through written notices, the cuts and grades of meats required to be set aside and reserved pursuant to Food Distribution Order 28.

(d) To give instructions, through written notices, with respect to the selection and to the manner of processing, cutting, and packaging of reserved meats, or to authorize any governmental agency, as defined in Food Distribution Order 28, to issue such instructions.

(e) To release at any time, through written notices, under such terms and conditions as he may prescribe, any or all reserved meat, whether held by slaughterers or by authorized processors.

2. The authority conferred by this order is in addition to any authority heretofore conferred upon E. S. Waterbury and shall not be construed to limit any authority heretofore conferred upon him as the Administrator of Food Distribution Order 28.

3. The provisions of this order shall not affect the authority of the Director of Food Distribution to perform any function or exercise any authority conferred upon him by the Secretary of Agriculture.

Done at Washington, D. C., this 31st day of March 1943.

[SEAL] ROY F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 43-5043; Filed, April 1, 1943;  
11:30 a. m.]

#### ROBERT BURROWS AND JOHN E. JACOBSEN DELEGATION OF AUTHORITY

Order delegating to Robert Burrows and John E. Jacobsen, Administrator and Alternate Administrator, respectively, Food Distribution Order 20, authority to perform certain functions.

1. Pursuant to the authority vested in me by Food Distribution Order 20, dated February 11, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, Robert Burrows or John E. Jacobsen, employees of the United States Department of Agriculture, and Administrator and Alternate Administrator, respectively, of Food Distribution Order 20, is hereby authorized, subject to such instructions with respect to policy and procedure as may from time to time be issued by the Director or by the Deputy Director, to release at any time any or all of the lard

and rendered pork fat required to be set aside by any person pursuant to the provisions of Food Distribution Order 20.

2. The authority conferred by this order is in addition to any authority heretofore conferred upon Robert Burrows and shall not be construed to limit any authority heretofore conferred upon him as Administrator of Food Distribution Order 20.

3. The provisions of this order shall not affect the authority of the Director of Food Distribution to perform any function or exercise any authority conferred upon him by the Secretary of Agriculture.

Done at Washington, D. C., this 31st day of March 1943.

[SEAL] ROY F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 43-5044; Filed, April 1, 1943;  
11:30 a. m.]

#### Rural Electrification Administration.

[Administrative Order 746]

#### ALLOCATION OF FUNDS FOR LOANS

MARCH 18, 1943.

I hereby amend:

(a) Administrative Order No. 115, dated July 8, 1937, by reducing the allocation of \$95,000 therein made for "Iowa 8045G Jackson (designation changed to read "Iowa 8045G1 Maquoketa Public" in conformity with Amendment to General Order No. 84, dated August 1, 1939) by \$309.35, so that the reduced allocation shall be \$94,690.65;

(b) Administrative Order No. 268, dated July 7, 1938, by reducing the allocation of \$10,000 therein made for "Virginia 9029W1 Nelson" by \$1,119.89, so that the reduced allocation shall be \$8,880.11;

(c) Administrative Order No. 476, dated July 1, 1940, by rescinding the allocation of \$3,000 therein made for "Washington 1038W1 Douglas";

(d) Administrative Order No. 478, dated July 1, 1940, by rescinding the allocation of \$72,000 therein made for "Washington 1038A1 Douglas";

(e) Administrative Order No. 444, dated March 23, 1940, by rescinding the allocation of \$10,000 therein made for "Wisconsin 0052W1 Crawford."

[SEAL] HARRY SLATTERY,  
Administrator.

[F. R. Doc. 43-4957; Filed, March 31, 1943;  
11:49 a. m.]

#### DEPARTMENT OF LABOR.

##### Wage and Hour Division.

##### LEARNER EMPLOYMENT CERTIFICATES

##### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under

section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 18, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 1, 1943. The certificate may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Womens' Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Phillips-Lester Manufacturing Company, 2300 First Avenue N., Birmingham, Alabama; Trousers and overalls; 10 percent (T); April 1, 1944.

M. Truitt, Salisbury, Delaware; Children's dresses; 10 learners (T); April 1, 1944.

Signed at New York, N. Y., this 30th day of March 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-4936; Filed, March 31, 1943;  
10:26 a. m.]



## SHEPPTON SPORTSWEAR COMPANY

NOTICE OF CANCELLATION, ETC., OF LEARNER  
EMPLOYMENT CERTIFICATES

Notice of cancellation of one special certificate for the employment of learners and affirmation of another in the Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Notice is hereby given that the special certificate for the employment of learners authorizing the Sheppton Sportswear Company of Sheppton, Pennsylvania, to employ not in excess of ten percent of its total number of productive factory workers (not including office and sales personnel) as learners at any one time between March 16, 1942 and March 16, 1943, has been ordered cancelled as of the date of first violation because of the violation of its terms, and that the special certificate for the employment of learners authorizing the above named firm to employ not more than 17 learners at any one time between June 29, 1942 and December 29, 1942 has been ordered affirmed.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen day period following the date on which this notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to § 522.13 of the regulations. If a petition is properly filed, the effective date of the order of cancellation shall be postponed until final action is taken on the petition. Signed at New York, New York this 29th day of March 1943.

ISABEL FERGUSON,  
Duly Authorized Representative  
of the Administrator.

[F. R. Doc. 43-4935; Filed, March 31, 1943;  
10:26 a. m.]

[Administrative Order 189]

COTTONSEED AND PEANUT CRUSHING  
INDUSTRYAPPOINTMENT OF INDUSTRY COMMITTEE  
NO. 57

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene for the cottonseed and peanut crushing industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public: Robert Preston Brooks, Chairman, Athens, Georgia; James E. Chace, Gainesville, Florida; Richard Lester, Durham, North Carolina; Alva W. Taylor, Nashville, Tennessee.

For the Employers: O. L. Farr, Selma, California; Harry Koger, Suffolk, Virginia;

No. 65—8

Abraham Marcus, Memphis, Tennessee; Boris Shishkin, Washington, D. C.

For the Employers: John H. Bryson, Dothan, Alabama; R. M. Hughes, Greer, South Carolina; P. A. Laws, Memphis, Tennessee; Henry G. Womble, Caldwell, Texas.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "Cottonseed and Peanut Crushing Industry" means:

The manufacture from cottonseed and peanuts of crude oil and by-products, including, but without limitation, cake, hulls, and linters: *Provided, however*, That this definition shall not include the manufacture of feeds.

3. The definition of the cottonseed and peanut crushing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however*, That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided further*, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person, who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on April 26, 1943 at the Peabody Hotel, Memphis, Tennessee, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 27th day of March 1943.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 43-5009; Filed, April 1, 1943;  
9:42 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 4795]

## R. J. REYNOLDS TOBACCO COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIX-  
ING TIME AND PLACE FOR TAKING TESTI-  
MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

*It is ordered*, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Tuesday, April 20, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Hearing Room, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-4954; Filed, March 31, 1943;  
11:46 a. m.]

[Docket No. 4898]

## THE CARLAY COMPANY, ET AL.

ORDER APPOINTING TRIAL EXAMINER AND  
FIXING TIME AND PLACE FOR TAKING  
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 31st day of March, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

*It is ordered*, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Monday, April 19, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 1121, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed imme-



diately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-5037; Filed, April 1, 1943;  
11:17 a. m.]

# OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 964]

## THE JAPANESE ASSOCIATION, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that The Japanese Association, Inc. (also known as The Japanese Association of New York, Inc.) is a membership corporation organized under the laws of the State of New York and is a business enterprise doing business in the State of New York;

2. Finding that many members of The Japanese Association, Inc. are Japanese subjects interned in the United States, and that said The Japanese Association, Inc. has performed various functions for the Japanese Government, including the taking of the census of the Japanese in the United States and the collection of funds for the Japanese Government;

3. Determining that said The Japanese Association, Inc. acted for or on behalf of a designated enemy country (Japan), and is, therefore, a national of a designated enemy country (Japan);

4. Finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable to, or held on behalf of or on account of or owing to The Japanese Association, Inc., New York, N. Y.

is property of a business enterprise within the United States which is a national of a designated enemy country (Japan);

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute as admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 1, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-4958; Filed, March 31, 1943;  
1:44 p. m.]

[Vesting Order 1130]

## ESTATE OF CHARLOTTE COXE TEUBER

In re: Estate of Charlotte Cox Teuber, deceased; File D-6-163; E. T. sec. 3206.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity-Philadelphia Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Austria (Germany), namely,

Nationals:	Last known address
Emerick (Imre) Teuber.	Austria (Germany).
Emerika Teuber.	Austria (Germany).
Oskar Teuber.	Austria (Germany).

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Austria (Germany); and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emerick (Imre) Teuber, Emerika Teuber and Oskar Teuber and each of them in and to the Estate of Charlotte Cox Teuber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property

Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 23, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-4959; Filed, March 31, 1943;  
1:44 p. m.]

[Vesting Order 1143]

## ESTATE OF ROSE SCHWARTZ

In re: Estate of Rose Schwartz, also known as Rosa Wallenberg, and Rose Wohlenberg, deceased; File D-28-6485; E. T. sec. 3794.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Public Administrator of the County of New York, Administrator, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address:
Cecilia Q. Stolzke.	Danzig.
Hulda W. Franche.	Germany.

And determining that—

(3) Cecilia Q. Stolzke, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Danzig, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Cecilia Q. Stolzke and Hulda W. Franche, and each of them, in and to the estate of Rose Schwartz,



also known as Rosa Wallenberg, and Rose Wohlborg, deceased, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 25, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-4960; Filed, March 31, 1943;  
1:44 p. m.]

[Vesting Order 1024]

#### PATENT APPLICATIONS OF CITIZENS AND RESIDENTS OF ENEMY-OCCUPIED COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of Luxembourg, Poland or Netherlands and residents of France, Luxembourg,

or Netherlands, as represented by the code numbers set forth under the heading "NAT. CODE" in said Exhibit A in accordance with the following:

27 represents France.  
44 represents Luxembourg.  
55 represents Poland.  
2. Finding, therefore, that said persons are nationals of the foreign countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code:  
3. Finding, therefore, that such patent applications are property of nationals of foreign countries;  
4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and  
5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat. Code
168, 181	10/9/37	C. Rober	Devices for the conveyance of cigars during their manufacture.	49
222, 335	8/1/38	A. Salomon	Di (amino-arylsulphon) amides and method of making same.	49
250, 025	1/2/39	T. Reichstein	Derivatives of the cyclopentanopolymethylene series.	49
315, 074	1/22/40	F. Tricon	Munition shells of organic materials and processes for manufacturing same.	44
335, 154	5/14/40	H. Thommen	Tubular body of insulating material.	44
405, 411	8/4/41	J. Schrader	Methods of tempering glass objects, particularly plate glass.	27 and 44
417, 890	11/2/41	B. Tenenbaum	System of radio communications.	27 and 55
439, 260	9/22/42	W. Jastrzebski	Fluid operated power transmitter.	27 and 55

[F. R. Doc. 43-5011; Filed, April 1, 1943; 10:25 a. m.]

[Vesting Order 1025]

#### TWO PATENTS OF MAX OW-ESCHINGEN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Max Ow-Eschingen is a citizen of Germany whose last known address is Vienna, Germany, and is a national of a foreign country (Germany);  
2. Finding that although said Max Ow-Eschingen agreed by contract dated May 3, 1939, to assign to "Colos" International Company for Commerce and Industry, a corporation of the United States doing business at New York, New York, the patents hereinafter

described and did in fact execute such assignments which were recorded in the United States Patent Office, said Max Ow-Eschingen has never furnished said company with certain instructions dealing with the application of inventions in accordance with such agreement and said company has never paid any money or other consideration to him for the assignment of said patents, and therefore finding that said Max Ow-Eschingen is the owner of said patents;  
3. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all profits and damages recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent No.	Patent date	Inventor	Title
1,890,645	12/13/33	M. Ow-Eschingen	Process of metallizing.
2,010,805	8/13/35	M. Ow-Eschingen	Process for the production of metal coatings on celluloid substitutes.

is property of a national of a foreign country (Germany):

4. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and  
5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form



APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5012; Filed, April 1, 1943;  
10:25 a. m.]

[Vesting Order 1026]

#### PATENT APPLICATIONS OF CITIZENS OF ENEMY COUNTRIES RESIDING IN ENEMY-OCCUPIED COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of the enemy countries, and residents of the enemy-occupied countries, represented by the code numbers set forth under the heading "NAT. CODE" in said Exhibit A in accordance with the following:

- 27 represents France.
- 28 represents Germany.
- 34 represents Hungary.
- 38 represents Italy.
- 46 represents Monaco.
- 57 represents Roumania.

2. Finding, therefore, that said persons are nationals of the foreign countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code;

3. Finding therefore that such patent applications are property of nationals of foreign countries;

4. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as

may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat. code
257,003	2/17/39	H. Mayr	System of transmission and reception	27 and 28
289,048	8/ 8/39	S. Vasilach et al.	Means for amplifying mechanical vibrations	27 and 57
313,429	1/11/40	F. Wilhelm et al.	Typewriting machines	27 and 34
313,845	1/15/40	L. Mai	Atomizers for liquids	27 and 38
339,411	6/8/40	U. Finzi	Gradual speed changing device	27 and 38
375,075	1/18/41	G. Lenta	One-piece safety razors	27 and 38
400,874	7/2/41	R. Ghezzi	Devices for saving gasoline, etc.	38 and 46
435,234	3/18/42	O. Bignelli	Method and machine for constricting a tube by means of a revolving die	27 and 38
436,280	3/26/42	J. Couelle et al.	Electric apparatus simultaneously producing dissociation of water into hydrogen and oxygen, fixation of oxygen and the utilization of hydrogen as combustible	27 and 57
436,281	3/26/42	J. Couelle et al.	Economical obtention of hydrogen and of oxygen by dissociation of water in order to realize industrially a gaseous fuel extremely rich in calories	27 and 57
458,607	9/16/42	P. Naldi	Fermenting process	27 and 38
458,608	9/16/42	P. Naldi	Method of manufacturing fatty acids and their derivatives by fermentation of cellulose-like hydrolysates	27 and 38
458,609	9/16/42	P. Naldi	Method of manufacturing fatty acids, aldehydes, ketones and alcohols	27 and 38
458,610	9/16/42	P. Naldi	Lacto-butyric and cellulolytic fermentation of liquors residual in the manufacture of paper paste	27 and 38

[F. R. Doc. 43-5013; Filed, April 1, 1943; 10:25 a. m.]

[Vesting Order 1027]

#### PATENT APPLICATIONS OF CITIZENS AND RESIDENTS OF ENEMY COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens and residents of foreign countries (Germany, Italy and Japan) and therefore are nationals of such foreign countries;

2. Finding therefore that such patent applications are property of nationals of foreign countries (Germany, Italy and Japan);

3. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
35,394	8/8/35	J. Eirich et al.	Method of mixing or granulating pulverulent and plastic materials of all kinds.
160,170	8/20/37	R. Matteucci	Air propeller with adjustable pitch during flight.
203,242	4/21/38	U. Gottesmann et al.	Electrolytic production of manganese compounds.
245,285	12/12/38	H. Yamamoto	Method of manufacturing stainless glass sheets.
278,926	6/13/39	F. Nessler	Method for recovering the acid still adhering to the nitrocellulose in the case of producing the latter from cellulose by means of nitrating mixed acids.
314,962	1/22/40	W. Engel et al.	Conversion methods.
318,000	2/8/40	K. Papello et al.	Device for directing and calculating apparatus.
324,722	3/18/40	A. Volz et al.	Washing and cleaning compositions.
345,226	7/12/40	G. Rustishauser	Method and apparatus for the production of curled threads from cellulose acetate.



# EXHIBIT A—Continued

Patent applications in the United States Patent Office which are identified as follows—Continued

Serial No.	Filing date	Inventor	Title
356,092	9/4/40	J. Diehter	Machine for shaping plastic materials.
374,850	1/17/41	R. Schobelt	Apparatus for producing an electrical magnitude to be measured or controlled.
381,652	3/6/41	G. Wiggemann	Warping machine.
418,666	11/12/41	P. Mullerjans et al.	Starter for free piston motor compressors.
422,760	12/12/41	K. Schulze	Means for determining the angular acceleration of aircraft.
427,480	1/20/42	E. Zdzansky	Charging apparatus for network connection for accumulator pocket lamps.
434,616	3/13/42	A. Volz	Process for the prevention of resinous precipitations in paper making.
434,619	3/13/42	F. Schonach	Process for the prevention of calcium carbonate deposition in water.
434,621	3/13/42	H. Rudy et al.	Process for the conversion of water-insoluble potassium salts of high-polymeric metaphosphoric acids into a water-soluble state.
434,622	3/13/42	H. Rudy et al.	Process for the manufacture of condensation products from sulphite lye.
434,623	3/13/42	R. Watzel	Process for the production of nitrogen-phosphoric acid compounds.

[F. R. Doc. 43-5014; Filed, April 1, 1943; 10:25 a. m.]

## [Vesting Order 1028]

### PATENT APPLICATIONS OF CITIZENS AND RESIDENTS OF FRANCE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens and residents of France and therefore are nationals of a foreign country (France);
2. Finding therefore that such patent applications are property of nationals of a foreign country (France);
3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an ap-

propriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form AIPC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

# EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
65,626	2/24/38	J. Lepetit	Electric wires and method for making same.
178,414	12/6/37	J. Lepetit	Incombustible end pieces.
187,354	1/28/38	J. Rentier	Thermostatic switch.
190,868	2/16/38	J. Chobert	Tubular rivets and like hollow elements.
195,773	3/18/38	P. Gangloff	Automatic machine for capsuling bottles.
200,136	4/5/38	R. Gauguin	Hydraulic power transmission apparatus.
214,459	6/18/38	A. Bernier	Electric circuit breakers with compressed fluid blow out.
217,628	7/15/38	B. Forges	Apparatus for purifying paper pulp.
218,848	7/12/38	C. Beckett	Electric cables.
231,869	9/27/38	P. Salerni	Hydraulic power transmission apparatus.
247,661	12/24/38	R. Berthier	Process for treatment of metallic surfaces.
251,396	1/17/39	A. Tchitchibabine	Process for the preparation of polyamines and their derivatives, and products obtained therefrom.
323,235	1/21/39	P. Jaoulet	Canalizations.
324,321	2/4/39	A. Thiebault	Aquatic torch or light buoy.
353,490	3/22/39	J. Sandstrom	Device for activating the alcoholic fermentation of fermentable liquid or for sterilizing solid liquids.
355,065	4/1/39	J. Zeltner	Process for the preparation of catalysts for hydrogenation.
356,877	4/4/39	E. Salerni	Centrifugal pumps or the like.
358,723	4/8/39	R. Berthier	Hydraulic power transmission apparatus.
358,694	4/19/39	J. Lepetit	Process for producing a protecting layer against corrosion on the surface of metals or alloys.
373,526	5/13/39	J. Lepetit	Insulated electric conductors.
374,588	5/24/39	J. Lepetit	Manufacture of electric cables or other insulated electric conductors for power conduction or heating purposes.
380,184	6/20/39	F. Tomlinson et al.	Electric cables or other insulated conductors.
383,196	7/7/39	J. Grogan	Pyroconductors.
384,300	7/19/39	J. Lepetit	Insulated electric conductors.
396,712	7/26/39	J. Chobert	Methods of joining tubular rivets.
397,713	7/26/39	J. Chobert	Methods of joining tubular rivets.
397,348	7/29/39	B. Farnier	Electric circuit breakers with compressed fluid blowout.
399,028	8/3/39	P. Brandel et al.	Shoes and the like.
399,763	8/12/39	P. Salerni	Hydraulic power transmission apparatus.
399,241	8/12/39	C. Bresson	Electric circuit breakers.
399,193	8/17/39	W. Loth et al.	Swirling screw propellers.
398,088	12/7/39	R. Dardelet	Pumps or compressors of the liquid ring type.
398,888	12/12/39	J. Vallerand	Process for obtaining wetting, foaming, metallic salt dispersing and emulsifying agents and the agents obtained by this process.
319,098	2/15/40	A. Faure et al.	Portable building structures.
326,084	3/20/40	C. Wilen et al.	Breathing apparatus for swimmers.
326,823	3/20/40	J. Bedin	Ground facing.
329,155	4/11/40	C. Duchaussoy	Mechanism for transmitting motion.
334,359	5/10/40	J. Tremolero	Container for face powder.
336,547	6/22/40	E. Borel	Electric furnace for melting glass.
342,569	6/20/40	C. Bresson	Electric circuit breakers.
342,712	6/27/40	L. Billon	Sizing material for sizing textile threads of all kinds.
339,739	10/4/40	E. Mazabraud	Process for the manufacture of hydrated aluminum trifluoride.
390,215	10/8/40	E. Venot	Switching-case for electric pocket lamps.
394,305	11/4/40	C. Hook	Electrical musical instruments of the keyboard type such as organs.
395,454	11/13/40	B. Branda	One way clutch.
373,705	1/8/41	B. Branda	Assembly of devices permitting a rational transmission of mechanical power, particularly fitted for motor-cars.
373,839	1/9/41	R. Dardelet	Compression or depression pumps of the liquid ring type.
374,800	1/17/41	A. Ferreau	Devices feeding with air the explosion chamber of internal combustion motors.
377,847	2/7/41	R. Hirsch	Shock-absorbing devices of the frictional type.
381,153	2/28/41	G. Dreyfus	Parachutes.
381,164	2/28/41	G. Dreyfus	Parachute belts.
381,165	2/28/41	G. Dreyfus	Machines for compressing gases by centrifugal effect.
382,283	3/8/41	J. Syrdowski	Machines for displacing and compressing fluids, such as turbine compressors for feeding aircraft engines.
382,284	3/8/41	J. Syrdowski	Compressors for feeding aircraft engines.
384,011	3/18/41	M. Mazoni	Method of producing solutions of chlorides of polyvinyl.
388,644	4/15/41	M. Fluchaire	Current-generating gear for pocket electric lamps.
388,811	4/16/41	G. Bartin	Manufacture of molded reinforced objects.
391,198	4/30/41	E. Charuis	Explosive and method of making the same.
393,137	5/19/41	C. Baron	Fuel humidifier for internal combustion engines.
393,138	5/12/41	C. Baron et al.	Combined machine for surface grinding and polishing glass and other materials.
395,384	5/27/41	D. Beborodko et al.	



EXHIBIT A—Continued  
Patent applications in the United States Patent Office which are identified as follows—Continued

Serial No.	Filing date	Inventor	Title
463,696	10/28/42	M. Monier	Hydraulic presses.
464,556	11/4/42	M. Denoyel	Rose plant.
464,557	11/4/42	C. Mallier	Rose plant.
464,750	11/4/42	H. De France	Systems for use in connection with television and the like.
465,641	11/10/42	H. Sarthou	Hinged ski.
465,944	11/9/42	R. Issaly	Wooden soles for shoes.
465,945	11/9/42	E. Aubert	Change speed devices by means of a wheel of variable diameter.
D-100,857	5/8/41	A. Descorps	Pillows.

[F. R. Doc. 43-5015; Filed, April 1, 1943; 10:26 a. m.]

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

LEO T. CROWLEY,  
Alien Property Custodian.

[Vesting Order 1029]  
PATENT APPLICATIONS OF CITIZENS OF SWITZERLAND RESIDING IN FRANCE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof are citizens of Switzerland residing in France and therefore are nationals of foreign countries (France and Switzerland);
2. Finding therefore that such patent applications are property of nationals of foreign countries (France and Switzerland);
3. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and
4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States. Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

## EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title
246,211	12/16/38	E. Piqueres	Lubrication of aero and other engines.
251,010	1/14/39	E. Piqueres	Apparatus for testing and indicating the condition of vehicle brakes.
260,164	3/6/39	E. Piqueres	Fluid delivery meter.
269,273	4/21/39	A. Gazda	Double piston devices for engines, pumps and the like.
284,152	7/13/39	J. Muller	Laminated sole construction.
288,661	8/11/39	A. Gazda	Automatic firearms.
289,691	8/15/39	A. Gazda	A drum type cartridge magazine.
290,291	8/15/39	E. Derings	Control system for motor vehicles.
294,385	9/11/39	E. Schmid	Four-stroke cycle internal combustion engines of the sleeve valve type.
306,558	11/28/39	E. Schmid	Filling limiters.
314,513	1/18/40	E. Piqueres	Filling limiters.

EXHIBIT A—Continued  
Patent applications in the United States Patent Office which are identified as follows—Continued

Serial No.	Filing date	Inventor	Title
395,494	5/27/41	L. Lumiere	Process and device for obtaining an appearance of relief in the projection of still or moving images.
395,678	5/28/41	M. Descos	Frames for cycles and the like.
402,345	7/12/41	A. Bellone	Method of manufacturing artificial biotides of manganese.
402,418	7/14/41	P. Cuvelier	Piston and piston-rod rings.
403,648	7/23/41	M. Schumberger	Cartridges.
403,649	7/23/41	M. Schumberger	Switching mechanism for bore hole apparatus.
403,650	7/23/41	M. Schumberger	Well casing perforator.
405,024	8/1/41	J. Lipsky	Well conditioning apparatus.
408,902	8/29/41	H. Javal	Canal locks of dry-docks and other basins.
414,028	10/15/41	M. Piot	Explosion and internal combustion engines.
415,655	10/15/41	E. Dubat	Device for clamping a member to a shaft.
415,774	10/16/41	G. Raba et al.	Turbine.
415,874	10/21/41	M. Carol	Device for pedalling by two persons specially adaptable to bicycles.
416,756	10/27/41	L. Reygnier	Rural stove.
416,888	10/28/41	L. Michal	Gas removing device for electric furnaces.
420,120	11/22/41	F. Mathieu	Electric oven for high temperatures working under vacuum or under neutral gas.
420,312	11/24/41	E. Fouquet	Machines for manufacturing rotation or revolution bodies.
420,313	11/24/41	E. Fouquet	Grinding machines.
424,754	12/29/41	R. Leorat	Protecting devices for networks.
425,692	1/5/42	P. D'Aubert	Air-screw propeller mountings.
428,360	1/27/42	O. Ziegel	Electric fuses.
428,360	1/27/42	B. Planche	Gas compressing plant.
428,380	1/29/42	R. Gadeau	Process for the manufacture of metallic gunium and of its alloys.
428,794	1/30/42	H. De France	Telecinema transmission devices.
428,971	1/30/42	H. De France	Telecinema transmission devices.
428,972	1/30/42	H. De France	Television devices.
428,973	1/30/42	H. De France	Procedure for stiffening all elements coupled of timber-work in light wood.
428,980	1/31/42	J. Couelle	Beacon systems.
429,383	2/4/42	H. De France	Television methods and systems.
429,384	2/4/42	H. De France	Band with gussets to obtain by casting constructive joining elements dividing the charges by dispersion of the thrusts.
432,392	2/26/42	J. Couelle	Tubular elements used in dwelling constructions and similar.
432,393	2/26/42	J. Couelle	Device for supplying a gaseous mixture to an internal combustion engine.
431,667	3/14/42	J. Poinsson	Composite electric conductor.
435,395	4/10/42	P. Fuster	Method and furnace for electrically melting glass.
438,410	4/24/42	P. Dumast	Electromagnetic wave direction indicators.
440,415	4/24/42	A. Gaudy et al.	Indicating systems particularly for the measure of angles.
440,416	4/24/42	R. Albert et al.	Ultra high frequency wave coupling devices.
440,417	4/24/42	R. Albert et al.	Apparatus for copying documents and the like.
440,418	4/24/42	H. De France	Systems for use in connection with television and the like.
440,860	4/28/42	C. Miquet	Dead centerless crank gears.
442,658	5/14/42	E. Meland	Drive plant.
443,994	5/21/42	C. Waseige	Driving joint for control devices for retractable members on board aircraft.
443,970	5/21/42	P. Verots et al.	Removable driving equipments for cycles and cycles provided therewith.
444,734	5/27/42	C. Waseige	Multi-drive gear box for accessories on board aircraft.
446,074	6/6/42	E. Bechetille	Method of making fuel-like articles.
449,538	6/29/42	G. Levy	Process for the preparation of agglomerates.
449,539	7/1/42	R. Jesse	Electric compensator for plants for locating sounds.
450,223	7/8/42	J. Couelle	Board-joining process by osmotic plugs, more especially utilized in light-timber frame-work.
450,224	7/8/42	J. Couelle	Process of rapid establishment of light construction by combination of standard panels with supporting frameworks.
450,335	7/14/42	C. Waseige	Polymeric bipropeller group for aerodynes.
450,396	7/14/42	C. Waseige	Engine compressor-generator unit.
451,034	7/16/42	P. Garnier	Change speed mechanism.
453,655	8/5/42	P. Boisson	Centrifugal castings.
453,705	8/5/42	G. Lapierre	Chain transmission more particularly for cycles.
455,908	8/24/42	R. Sarazin	Vibrations dampers.
455,909	8/24/42	H. De France	Methods and apparatus for the transmission of signals.
456,846	9/1/42	A. Perreau	Elastic wheel.
456,950	9/1/42	P. Miquet et al.	Electrothermic gas producer.
457,509	9/5/42	M. Heltz-Boyer	Surgical tables.
459,324	9/22/42	H. Fosse et al.	Hand knitting needle.
460,147	9/30/42	E. Cohnhoff	Artificial resins.
460,231	10/15/42	A. Estienne	Circuit breakers.
462,078	10/15/42	A. Faure et al.	Crane.
462,068	10/15/42	F. Souche	Automatic line centering and shifting device for type setting machines.
462,134	10/15/42	R. Jasse	Electric motors the speed of which is regularized by a tuning fork.
462,902	10/22/42	M. Menesson	Auxiliary devices adapted to drive light vehicles.
463,172	10/24/42	B. Fernier	Blowing gas self generating breakers.
463,571	10/27/42	L. Chantal	Feed controller for record engraver carrying carriage.
463,572	10/27/42	L. Chantal	Record carrier drive for sound track registering machines.
463,573	10/27/42	L. Chantal	Record engraver suspension for sound track registering machine.



## EXHIBIT A—Continued

Patent applications in the United States Patent Office which are identified as follows—Continued.

Serial No.	Filing date	Inventor	Title
818, 571	2/12/40	A. Gazda.....	Impact fuse.
318, 662	2/12/40	E. Bitterli et al.....	Propellers.
318, 663	2/12/40	E. Bitterli et al.....	Molded material.
324, 197	3/15/40	A. Gazda.....	Aircraft wing system.
334, 446	5/10/40	A. Gazda.....	Ship bodies.
334, 447	5/10/40	A. Gazda.....	Aircraft Wing systems.
395, 450	5/27/41	G. Cuttat.....	Automatic slicing lathes.
395, 451	5/27/41	G. Cuttat.....	Lathes for metal jobs.
395, 452	5/27/41	G. Cuttat.....	Automatic lathes.
397, 993	6/13/41	E. Piquerez.....	Dispersing material.
397, 994	6/13/41	E. Piquerez.....	Plant for the remote control of a gate-valve by means of a fluid under pressure.
459, 344	9/22/42	A. Schroter.....	Method and device for filtering and purifying the gases of gas producers.

[F. R. Doc. 43-5016; Filed, April 1, 1943; 10:26 a. m.]

[Vesting Order 1030]

## TEN PATENTS AND INTEREST OF GERMAN CORPORATION RELATING TO PATENTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Kalle & Co., A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. Finding that said Kalle & Co., A. G. has an interest in the contract referred to in subparagraph 4-a hereof and is the owner of the patents referred to in subparagraph 4-b hereof:

3. Finding that the successors, assigns and affiliates, if any, of the aforesaid Kalle & Co., A. G. are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

a. The interest of said Kalle & Co., A. G., its successors, assigns and affiliates, and each of them, in, to and under a contract relating to patents dated May 7, 1929, by and between it and DuPont Cellophane Company, Inc., including all amendments and supplements thereto, and all accrued royalties and other moneys payable or held with respect to said interest, and all damages for breach of said contract, together with the right to sue therefor,

b. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patent which are identified as follows and the titles to which stand of record in the United States Patent Office in the name of E. I. DuPont de Nemours & Co., a Delaware corporation, Wilmington, Delaware:

Patent No.	Date of issue	Inventor	Title
1, 910, 502	5/23/33	Maximilian P. Schmidt, et al.	Method of producing films.
1, 930, 666	10/17/33	Waldemar Schwalbe, et al.	Method and apparatus for coating.
1, 934, 824	11/14/33	Waldemar Schwalbe, et al.	Tracing material.
1, 961, 203	6/ 5/34	Julius Voss	Method of treating cellulose.
1, 979, 636	11/ 6/34	Otto Hermann	Method of coating and the product resulting therefrom.
1, 982, 685	12/ 4/34	Rudolph Muller	Roll shifting device.
1, 983, 870	12/11/34	Ulrich Ostwald	Laminated material and method of preparing same.
1, 983, 871	12/11/34	Ulrich Ostwald	Method of laminating.
2, 033, 920	9/8/36	Arthur Schade, et al.	Extrusion device and process.
2, 252, 091	8/12/41	Philipp Muller, et al.	Moistureproof sheet.

is property of, or is property payable or held with respect to patents or rights relating thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultations and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the

Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 4, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5017; Filed, April 1, 1943; 10:26 a. m.]

[Vesting Order 1031]

## PATENT APPLICATIONS OF CITIZENS OF NEUTRAL COUNTRIES OR OF THE UNITED STATES AND RESIDENTS OF ENEMY COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of Sweden, Switzerland or the United States and residents of Germany, Italy or Japan, as represented by the code numbers set forth under the heading "NAT. CODE" in said Exhibit A in accordance with the following:

28 represents Germany.  
38 represents Italy.  
39 represents Japan.  
62 represents Sweden.  
63 represents Switzerland.  
66 represents United States.

2. Finding, therefore, that said persons are nationals of the countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code;

3. Finding, therefore, that such patent applications are property of nationals of foreign countries;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.



The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[Vesting Order 1037]

#### 42 PATENTS OF CARL ZEISS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Carl Zeiss is a German firm doing business at Jena, Germany, and is a national of a foreign country (Germany);

2. Finding that N. V. Nederlandsche Instrumenten Compagnie (Nedinsco), a corporation organized under the laws of Holland, doing business at Venlo, Holland, is a subsidiary of, and is owned or controlled by said Carl Zeiss and, therefore, is a national of a foreign country (Germany);

3. Finding that Carl Zeiss and N. V. Nederlandsche Instrumenten Compagnie (Nedinsco), by virtue of a contract dated November 26, 1926, assigned to Bausch & Lomb Optical Company, the patents which stand of record in the United States Patent Office in the name of Bausch & Lomb Optical Company, which patents are listed in Exhibit A attached hereto and made a part hereof;

4. Finding that by a decree of the District Court of the United States for the Southern District of New York, dated July 9, 1940 in a case entitled United States of America vs. Bausch & Lomb Optical Company, et al., Civil Action No. 9-404, it was found that the aforesaid agreement of November 26, 1926 was unlawful;

5. Finding, therefore, that the aforesaid Carl Zeiss and N. V. Nederlandsche Instrumenten Compagnie (Nedinsco) are the owners of the patents referred to in subparagraph 6, hereof;

6. Finding, therefore, that the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof.

is property of nationals of a foreign country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien

#### EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat. code
233, 270	10/4/38	A. Rupp	Screw-propeller	28 and 63
278, 941	6/13/39	F. Flury	Device for the speed regulation of electric commutator machines.	38 and 63
322, 224	3/4/40	O. De Mattels	Filter-machines for coffee	38 and 66
332, 711	5/1/40	I. Troedsson	Circulation systems of pulp digesters	39 and 62
334, 661	5/1/40	P. Baldwin	Hydraulic pressure transmission systems	38 and 66
361, 134	10/14/40	J. Bessire	Escape boat from submarines	38 and 63
388, 441	4/14/41	J. Robinson	Medicinal applicator and dispenser	39 and 64
399, 706	6/25/41	W. Dallenbach	Arrangement for ultra short waves	28 and 63
407, 802	8/21/41	E. Zollinger	Paper films conveyor	38 and 63
407, 803	8/21/41	E. Zollinger	Supplying water to photographic machines	38 and 63
409, 101	8/30/41	E. Guignard	Apparatus for continuous fractional distillation	28 and 63

[F. R. Doc. 43-5018; Filed, April 1, 1943; 10:26 a. m.]

[Vesting Order 1032]

#### PATENT APPLICATIONS OF CITIZENS OF ALLIED OR NEUTRAL COUNTRIES OR OF THE UNITED STATES RESIDING IN ENEMY-OCCUPIED COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patent applications identified in Exhibit A attached hereto and made a part hereof, are citizens of the allied or neutral countries or of the United States, and residents of the enemy-occupied countries, represented by the code numbers set forth under the heading "NAT. CODE" in said Exhibit A in accordance with the following:

7 represents Belgium.

10 represents Brazil.

17 represents Czechoslovakia.

27 represents France.

49 represents Netherlands.

66 represents United States.

65 represents Union of Soviet Socialist Republics.

61 represents Spain.

62 represents Sweden.

63 represents Switzerland.

2. Finding, therefore, that such persons are nationals of the countries represented by the code numbers set forth in said Exhibit A in accordance with the aforesaid code;

3. Finding, therefore, that such patent applications are property of nationals of foreign countries;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 1, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 4, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

Patent applications in the United States Patent Office which are identified as follows:

Serial No.	Filing date	Inventor	Title	Nat. code
224, 291	8/11/38	A. Abramson	Carburetors for internal combustion engines	17 and 65
224, 292	8/11/38	A. Abramson	Carburetors for internal combustion engines	17 and 65
263, 719	1/31/39	D. De Lavaud	Propeller having an automatically variable pitch	10 and 27
302, 687	11/3/39	F. Moser	Lubricating oil composition	49 and 63
307, 933	12/6/39	F. Moser	Heteropolymeric peroxide from aliphatic ketones	49 and 63
309, 265	12/14/39	E. Salsas	Endless flat elastic belts	7 and 61
322, 289	3/5/40	W. Grunberg	Method of and means for instructing and training student operators	27 and 65
422, 173	12/8/41	P. Osorio	Processes of filming, taking and photography and cinematographic projections rendering possible to obtain an ordinary screen pictures in relief and natural colors	10 and 27
429, 343	2/2/42	T. Carlander	Cellulose boiling	27 and 62
439, 937	4/21/42	W. Levenson	Anti-freezing composition	27 and 66
451, 014	7/15/42	V. Borsakovsky	Method of obtaining perfectly conservable integral meal	27 and 65

[F. R. Doc. 43-5019; Filed, April 1, 1943; 10:27 a. m.]



scribed in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 8, 1943.

LEO T. CROWLEY,  
[SEAL] Alien Property Custodian.

and therefore are nationals of such foreign countries;

2. Finding that the individuals and companies whose interests in the contracts identified in Exhibit B attached hereto and made a part hereof are described in said Exhibit B, have last known addresses as set forth in said Exhibit B immediately following the description of such interests and therefore are nationals of the foreign countries set forth in said Exhibit B immediately following such last known addresses;

3. Finding that the heirs, executors, administrators, successors and assigns, if any, of the individuals and companies whose interests in contracts are described in said Exhibit B are nationals of foreign countries (Germany, Italy and France);

4. Finding, therefore, that the property described as follows:

a. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in said Exhibit A, and b. The interests in contracts described in said Exhibit B,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Germany, Italy and France);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore designated.

## EXHIBIT A

Patents which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the persons indicated, respectively:

Patent No.	Date	Record owner	Inventor	Title
1,594,639	8/17/26	Eugene Vion—Nationality, French.	Eugene Vion	Compass for navigation purposes.
1,621,433	3/15/27	Etablissements Ed. Jaeger—Nationality, French.	Charles H. H. Rodanet	Control for speed indicators or the like.
1,626,697	5/3/27	Societe Anonyme Etablissements Ed. Jaeger—Nationality, French.	Charles H. H. Rodanet	Construction of speed indicators.
1,630,074	7/10/27	Societe Anonyme Etablissements Ed. Jaeger—Nationality, French.	Charles H. H. Rodanet	Mechanism for controlling speed indicators or the like.
1,639,982	8/16/27	Air Equipment Nationality, French.	Paul Viet	Automatic starting device for international combustion engines.
1,644,277	10/4/27	Societe Anonyme Etablissements Ed. Jaeger Nationality, French.	Charles H. H. Rodanet	Lamp for instrument boards of motor vehicles.
1,673,753	7/31/28	Air Equipment Nationality, French.	Paul Viet	Automatic starting devices for I. C. engines.
1,682,252	8/28/28	Societe Anonyme Etablissements Ed. Jaeger Nationality, French.	Charles H. H. Rodanet	Electrical measuring instruments.

Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall

## EXHIBIT A

Patents which are identified as follows, and which stand of record in the United States Patent Office in the name of Bausch and Lomb Optical Company:

Patent No.	Patent date	Inventor	Title
1,581,754	4/20/26	R. Mechnau	Electric current interrupter.
1,582,132	6/15/26	O. Eppenstein	Telemeters.
1,638,190	8/9/27	O. Eppenstein	Devices for the mechanical multiplication of two factors.
1,639,411	8/16/27	R. Mechnau	Receivers for heat signs.
1,639,412	8/16/27	R. Mechnau	Indicators for heat signs.
1,663,575	3/27/28	S. Van den Bergh	Antiaircraft fire-control apparatus.
1,666,943	4/24/28	W. Monton	Range finder.
1,762,800	6/10/30	A. Steine	Fire control apparatus for firing at movable targets.
1,835,634	12/8/31	A. Steine	Binocular telescope.
1,846,854	2/23/32	O. Eppenstein	Instrument for finding the range difference of two aiming points.
1,847,774	3/1/32	S. Van den Bergh	Antiaircraft fire-control apparatus.
1,854,771	4/19/32	A. Steine	Fire control apparatus for firing at movable targets.
1,859,722	5/24/32	A. Steine	Fire control apparatus for firing at movable targets.
1,859,725	5/24/32	S. Van den Bergh	Fire control apparatus.
1,890,512	8/2/32	F. Schmale	Optical square.
1,897,252	2/14/33	O. Eppenstein	Fire control apparatus for firing at movable targets.
1,918,827	7/18/33	R. Mechnau	Rectifying devices for range finders.
1,921,630	8/8/33	O. Eppenstein	Method of determining the position of targets emitting short flashes of light.
1,928,662	10/3/33	O. Eppenstein	Binocular range finders.
1,931,849	2/20/34	A. Steine	Fire control apparatus for firing at movable targets.
1,931,852	2/20/34	S. Van den Bergh	Device for fire control apparatus.
1,938,097	3/11/34	R. Steinhilber	Optical instrument.
1,971,089	8/21/34	O. Eppenstein	Telescopes for observing strong sources of light.
1,982,529	9/11/34	R. Mechnau	Optical signalling apparatus.
1,985,077	11/20/34	A. Steine et al	Stabilized range finder.
1,985,079	11/20/34	O. Burkhardt	Sighting telescope for aircraft.
1,990,833	4/30/35	O. Eppenstein	Self contained base range finders.
2,008,516	7/16/35	A. Pula	Apparatus for photo-telephones and the like.
2,010,313	8/9/35	R. Mechnau et al	Eyepiece having optical members that consist of a lens system and a prism system.
2,015,527	9/24/35	A. Konig	Supports for portable optical instruments.
2,015,869	10/1/35	A. Pula	Sight line horizon determining means.
2,040,171	5/12/36	O. Eppenstein	Sight line horizon determining means.
2,042,040	6/26/36	O. Eppenstein	Apparatus for following a target.
2,071,424	2/23/37	K. Papello	Calculating apparatus for firing directors for shooting at a moving aerial target.
2,071,425	2/23/37	K. Papello	Sighting devices for following targets.
2,105,985	1/18/38	K. Papello	Stereoscopic range finders having stationary measuring marks.
2,106,631	1/25/38	O. Eppenstein	Supplementary devices for binocular range finders.
2,106,632	1/25/38	O. Freund	Stereoscopic range finders.
2,144,257	1/17/39	O. Eppenstein	Measuring marks for stereoscopic range finders.
2,144,262	1/17/39	A. Konig et al	Devices for deviating a pencil of light rays.
2,150,544	3/14/39	O. Eppenstein	Apparatus for gunnery calculators.
2,174,330	9/26/39	K. Papello	

[F. R. Doc. 43-5020; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1039]

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the record owners of the patents listed in Exhibit A attached hereto and made a part hereof, and referred to under the heading "Record Owners" in said Exhibit A, are organized under the laws of or have their principal places of business in, or are citizens or residents of, the foreign countries set forth after their names in said Exhibit A

## PATENTS AND CONTRACTUAL INTERESTS OF CERTAIN FOREIGN NATIONALS

Re: Patents and contractual interests of foreign nationals who have patent licensing agreements with Bendix Aviation Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and



## EXHIBIT A—Continued

Patent number	Date	Record owner	Inventor	Title
1,695,218	12/11/28	Air Equipment; Nationality, French.	Paul Viet.....	Automatic starting device for I. C. engines.
1,695,663	12/18/28	Societe Anonyme Etablissements Ed. Jaeger Nationality, French.	Charles H. H. Rodanet..	Register wheel.
1,697,369	1/1/29	Societe Anonyme, Etablissements Ed. Jaeger; Nationality, French.	Charles H. H. Rodanet.	Electrical measuring apparatus.
1,720,148	7/9/29	Societe Anonyme, Etablissements Ed. Jaeger; Nationality, French.	Charles H. H. Rodanet.	Recording meter.
1,844,192	2/9/32	Air Equipment; Nationality, French.	Louis Thomas.....	Apparatus for supplying fuel gas mixture to cylinders of I. C. engines.
1,859,264	5/17/32	Arnold Zoller; Nationality, French.	Arnold Zoller.....	Engine provided with a rotary compressor.
1,897,742	2/14/33	Societe Generale des Carburateurs Zenith; Nationality, French.	Louis L. Viel.....	Regulator for the fuel pressure of I. C. engines.
1,897,898	2/14/33	Air Equipment; Nationality, French.	Leon Gerard.....	Automatic pressure regulating device.
1,903,685	4/11/33	Etablissements Ed. Jaeger; Nationality, French.	Rene J. H. Planiol.....	Speed indicator.
1,906,278	5/2/33	Societe du Carburateur Zenith—Nationality, French.	Edmund Montgomery..	Carburetor.
1,929,266	10/3/33	Societe Generale des Carburateurs Zenith—Nationality, French.	Louis L. Viel.....	Carburetor.
1,939,493	12/12/33	Air Equipment—Nationality, French.	Leon Gerard.....	Starter for I. C. engines.
1,944,641	1/23/34	P. Viet—Nationality French.	Leon Gerard.....	Starter for I. C. engines.
1,955,037	4/17/34	Societe Generale des Carburateurs Zenith—Nationality, French.	Louis L. Viel.....	Device for controlling the fuel supply of I. C. engines.
1,981,789	11/20/34	P. Viet Nationality—French.	Leon Gerard.....	Starter for I. C. engines.
2,013,932	9/10/35	Societe Generale des Carburateurs Zenith—Nationality, French.	Louis L. Viel.....	Suction actuated carburetor governor.
2,048,243	7/21/36	Arnold Zoller; Nationality, German.	Arnold Zoller.....	I. C. engines.
2,068,938	1/26/37	Societe Generale des Carburateurs Zenith; Nationality, French.	Louis L. Viel.....	Regulator for the fuel pressure in I. C. engines.
2,081,741	5/25/37	Societe Generale des Carburateurs Zenith; Nationality, French.	Paul X. A. & J. Lichtenstein.	Carburetor.
2,092,685	9/7/37	Societe Generale des Carburateurs Zenith; Nationality, French.	Louis L. Viel.....	Fuel injection device for I. C. engines.
2,093,218	9/14/37	Societe Generale des Carburateurs Zenith; Nationality, French.	Maurice C. P. Thieulin & Paul X. A.	Priming Device for I. C. engines.
2,093,736	9/21/37	Fabrizia Italiana Magneti Marelli Societa Anonima Nationality, Italian.	Gistucci Umberto Quintavalle.	Centrifugal Governor.
2,097,215	10/26/37	Societe Anonyme Etablissements Ed. Jaeger; Nationality French.	Charles H. H. Rodanet..	Tachymeter or speed indicator of the chronometric type with remote electric control.
2,123,219	7/12/38	Societe Anonyme Air Equipment Nationality, French.	Charles R. Waseige.....	Driving mechanism.
2,135,950	11/8/38	Societe Anonyme Etablissements Ed. Jaeger Nationality, French.	Charles H. H. Rodanet..	Altimeter.
2,144,017	1/17/39	Societe Generale des Carburateurs Zenith—Nationality, French.	Paul X. A. Gistucci.....	Carburetor.
2,152,675	4/4/39	Societe Anonyme Air Equipment Nationality, French.	Charles R. Waseige.....	Engine starting mechanism.
2,154,591	4/18/39	Societe Anonyme Air Equipment Nationality, French.	Charles R. Waseige.....	Driving mechanism.
2,156,115	4/25/39	Societe Generale des Carburateurs Zenith—Nationality, French.	Paul X. A. Gistucci & J. Lichtenstein.	Carburetor.
2,156,132	4/25/39	Societe Generale des Carburateurs Zenith Nationality, French.	Maurice C. P. Thieulin.	Carburetor.
2,160,067	5/30/39	Societe Generale des Carburateurs Zenith Nationality, French.	Paul X. A. Gistucci & J. Lichtenstein.	Carburetor.
2,162,180	6/13/39	Antoine I. Odier Nationality, French.	Antoine I. Odier.....	Means for measuring a quantity of liquid in a tank.
2,168,106	8/1/39	Siemens Apparate und Maschinen G. m. b. H., Nationality, German.	Karl Saur.....	Apparatus for measuring the quantity of fluid in vessels or containers.
2,195,139	3/26/40	Societe Anonyme Air Equipment, Nationality, French.	Charles R. Waseige.....	Driving mechanism.
2,207,414	7/9/40	Societe Anonyme Jaeger Aviation, Nationality, French.	Charles H. H. Rodanet..	Gyroscopic horizon allowing the reading of great longitudinal inclinations.
2,221,144	11/12/40	Siemens Apparate und Maschinen G. m. b. H.—Nationality, German.	Heinrich Langgasser....	Means for controlling servomotors.
2,225,568	12/17/40	Siemens Apparate und Maschinen G. m. b. H.—Nationality, German.	Pius Obermeier.....	Gyroscopic device.
2,234,001	3/4/41	Societe Generale des Carburateurs Zenith—Nationality, French.	Paul X. A. Gistucci.....	Altimetric control device for carburetors.
2,254,943	9/2/41	S. A. Jaeger-Aviation—Nationality, French.	Jean B. P. H. Galle.....	Radio direction finding.
2,255,003	9/2/41	Societe Anonyme Jaeger-Aviation—Nationality, French.	Charles H. H. Rodanet..	Indicating pointer.
2,255,575	9/9/41	Societe Anonyme Air Equipment—Nationality, French.	Charles R. Waseige.....	Engine starting mechanism.
2,278,800	4/7/42	Societe Anonyme Etablissements Ed. Jaeger—Nationality, French.	Charles H. H. Rodanet..	Device for verifying the dimension and sphericity of balls.
Des. 111,714	10/11/38	Societe Anonyme Jaeger Aviation—Nationality, French.	Charles H. H. Rodanet..	Airplane landing wheel position indicator.

## EXHIBIT B

Interests in contracts identified as follows, and in which the nationality of the person whose interest is vested is indicated below the identification of the contract:

1. The interest of Siemens Apparate und Maschinen G. m. b. H. and its successors and assigns in and to an agreement signed at Paris, December 17, 1936, by and between Bendix Aviation Corporation and Siemens Apparate und Maschinen G. m. b. H., involving certain enumerated aircraft instruments and the patent rights connected therewith, including all modifications and supplements of this agreement, and including, but not by way of limitation, all agreements by exchange of letters as of August 30, 1938, and other dates, together with all accrued royalties and other monies payable or held with respect to such interests. Last known address: Berlin, Germany. Nationality: Germany.

2. The interest of Robert Bosch G. m. b. H. and its successors and assigns in and to an agreement made October 24, 1935, by and between Eclipse Aviation Corporation and Robert Bosch Aktiengesellschaft, relating to "Eclipse" de-icers and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interests. Last known address: Stuttgart, Germany. Nationality: Germany.

3. The interest of Ottico Meccanica Italiana and its successors and assigns in and to a license agreement made January 16, 1937, by and between Ottico Meccanica Italiana and Bendix Aviation Corporation, relating to aerophotographic apparatuses and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Rome, Italy. Nationality: Italy.

4. The interest of Compagnia Generale di Elettrocita and its successors and assigns in and to a license agreement made April 26, 1940, by and between Bendix Aviation Corporation, Bendix Radio Corporation, and Compagnia Generale di Elettrocita, relating to certain enumerated devices and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Milan, Italy. Nationality: Italy.

5. The interest of Eugene Vion and his heirs, executors, administrators, and assigns in and to an agreement made May 7, 1937, by and between Eugene Vion and Bendix Aviation Corporation, relating to compensating devices for magnetic compasses and similar instruments and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Paris, France. Nationality: France.

6. The interest of Antoine Isidore Odier and his heirs, executors, administrators, and assigns in and to an agreement made June 2, 1937, by and between Antoine Isidore Odier and Eclipse Aviation Corporation, relating to methods and means for measuring the quantity of liquid in a tank and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Paris, France. Nationality: France.

7. The interest of Societe Anonyme Jaeger-Aviation and its successors and assigns in and to a license agreement dated September 1, 1936, by and between Societe Anonyme Jaeger-Aviation and Bendix Aviation Corporation, relating to certain enumerated aircraft devices and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Levallois-Perret, France. Nationality: France.

8. The interest of Etablissements Ed. Jaeger Société Anonyme and its successors and as-



signs in and to an agreement executed May 9, 1936, by and between Etablissements Ed. Jaeger Société Anonyme, Etablissements Ed. Jaeger of Le Sentier, Switzerland, and Bendix Aviation Corporation, relating to instruments and accessories for motor vehicles and boats and the patent rights connected therewith, including all supplements and modifications of this agreement, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Levallois-Perret, France. Nationality: France.

9. The interest of Arnold Zoller and his heirs, executors, administrators, and assigns in and to an agreement made March 29, 1932, by and between Arnold Zoller and Bendix Aviation Corporation, relating to internal combustion engines and the patent rights connected therewith, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Berlin, Germany. Nationality: Germany.

10. The interest of Charles Waseige and his heirs, executors, administrators, and assigns in and to an agreement dated March 26, 1930, by and between Charles Waseige and Eclipse Aviation Corporation, relating to improvements in speed-reducing gears and the patent rights connected therewith, subject to and including all supplements and modifications of this agreement and including, but not by way of limitation, all agreements by way of exchange of letters as of March 27, 1930, and other dates, together with all accrued royalties and other monies payable or held with respect to such interest. Last known address: Ruell, Seine-et-Oise, France. Nationality: France.

[F. R. Doc. 43-5021; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1041]

CONTRACT RIGHTS OF OSKAR RENNER, JR.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Oskar Renner, Jr., a resident of Budapest, Hungary, is a national of a foreign country (Hungary);

2. Finding that Oskar Renner, Jr. has interests in and under the agreements referred to in subparagraph 4 hereof;

3. Finding that the heirs, legal representatives and assigns, if any, of said Oskar Renner, Jr. are nationals of a foreign country (Hungary);

4. Finding that the property described as follows:

a. The interest of Oskar Renner, Jr., his heirs, legal representatives and assigns, and each of them, in and under a certain agreement dated July 1, 1937, between said Oskar Renner, Jr., and Union Carbide and Carbon Research Laboratories, Inc., a New York corporation, relating among other things to a patent application now issued as United States Letters Patent No. 2,231,027, including all royalties or other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor; and

b. The interest of Oskar Renner, Jr., his heirs, legal representatives and assigns, and each of them, in and under a certain agreement dated November 1, 1939, between Union Carbide and Carbon Research Laboratories, Inc., a New York corporation, and The Linde

Air Products Company, an Ohio corporation, relating among other things to United States Letters Patent No. 2,231,027, including all royalties or other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to a patent or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Hungary);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 8, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5022; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1047]

COPYRIGHT INTERESTS IN GERMAN-OWNED  
MOTION PICTURE FILMS IN THE UNITED  
STATES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each of the individuals whose names and last known addresses are set forth in Exhibit A attached hereto and by reference made a part hereof, is a resident of, and that each of the companies referred to in such Exhibit is organized under the laws of, Germany and that therefore each

of such individuals and companies is a national of a foreign country (Germany);

2. Finding that the German Government and the persons listed in said Exhibit A, jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the motion picture films in the United States owned or controlled by the German Government and/or the individuals and companies, and each of them, whose names and last known addresses are listed in said Exhibit A;

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

d. All rights of renewal, reversion or re-vesting, if any, in any or all of the foregoing;

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a foreign country (Germany) and/or nationals thereof;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admis-



sion of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

A. B. C. Film G. m. b. H., Berlin W 15, Kaiserallu 13.  
Achsel & Co. Filmproduktion W., Berlin SW 68, Friedrichstr. 238.  
Aco-Film G. m. b. H., Berlin SW 68, Friedrichstr. & Neubaleisbergel Potsdam, Luisenstr. 9a.  
Algeine Film-Aufnahme-u. Vestriebsges. m. b. H. (Algeafilms), Berlin W 35 Grossadmiral-Von-Koester-Ufer 83.  
Alliance Cinematographique, 56 Rue de Bassano, Paris, (Ufa).  
Amalfi-Tonfilm Ges. m. b. H., Berlin SW 68, Friedrichstr. 22.  
Ariel Film G. m. b. H., Berlin NW 7, Unter den Linden 69.  
Ariete-Film G. m. b. H., Berlin-Halensee, Paulsbornerstr.  
Arko-Film, G. L. Arko, Berlin W 15, Brandenburgische Str. 23.  
Arnold & Richter G. m. b. H., Muenchen 13, Tuerkenstr. 89.  
Arving Film Produktion, Bert, Berlin SW 68, Friedrichstr. 23.  
Arya-Film G. m. b. H., Muenchen 19, Tizianstr. 16.  
Astra-Film Herstellungs-und Vestriebs-Ges. m. b. H., Berlin SW 68 Friedrichstr. 19.  
Atalanta-Film G. m. b. H., Berlin-Charlottenburg 2, Carmerstr. 7.  
Atelier Svend Noldan, Berlin W 62, Budapest Str. 4.  
Atlantic-Film Hans Arnau & Co., Berlin-Dahlem, Wildpfad 30.  
Badal-Filmproduktion, Vonhagen Badal, Berlin SW 68, Kochstr. 18.  
Bahr-Film, Breslau 6, Berliner Str. 57.  
Basse-Film G. m. b. H., Berlin-Dahlem, Breitenbachplatz 12.  
Bavaria-Film A. G. Muenchen, 2 SW, Sonnenstr. 15.  
Bavaria-Wochenschau G. m. b. H., Berlin SW 68, Friedrichstr. 210.  
Bayerische Film Gesellschaft, G. m. b. H., Muenchen, Sonnenstrasse 15, Berlins Buro, SW 68, Friedrichstrasse 212.  
Berlin Film Company, Berlin.  
Beyfuss-Film Nachfolger, Dr. Edgar, Berlin NW 87, Alt-Moabit 38.  
Boehner-Reklame w. Film, Fritz Boehner, Dresden, Bismarkstr. 8.  
Brewing Film Richard, Berlin-Charlottenburg, Brahestr. 25.  
Brieger-Film Dr. Herbert, Berlin-Charlottenburg 5, Horstweg 41.  
Briese Schmalfilm, Berlin-Charlottenburg 9, Fredericiast. 5.  
Bundesfilm A. G., Berlin-Charlottenburg 5, Gustloffstr. 55.  
Casparius-Produktion, Hans, Berlin-Charlottenburg 4, Dahlmannstr. 25.  
Cine-Allianz Tonfilm-Produktionsges. m. b. H., Berlin SW 68, Kochstr. 18.  
Commerz-Film A. G., Berlin W 35, Woyrschstr. 37.  
Cserepy-Tonfilmproduktion G. m. b. H., Berlin SW 11, Koeneggratzerstr. 72.  
Deka-Film G. m. b. H., Berlin SW 68, Friedrichstr. 236.  
Deutsche Film Herstellung und Verwertungs Gesellschaft-Deutsche Films, G. m. b. H., ("D. F. G.") Berlin, W 15, Fasanen Strasse 64.  
Deutsche Forst-Film Produktionsges. m. b. H., Berlin W 15, Kurfuerstendamm 200.  
Deutsche Lichtbild-Gesellschaft e. V., Berlin SW 68, Markgrafenstr. 4.

Deutsche Lichtbild fuer Unterricht, Institut fuer Lehr-und Werbefilme, Walter Lange, Berlin SW 11, Halenplatz 9.  
Deutsche Maerchenfilm-Produktion Alf. Zengerling Berlin Zehlendorf, Jaenickestr. 105.  
Diana-Tonfilm G. m. b. H., Berlin W 8, Friedrichstr. 67.  
Dix-Film, Norman, Muenchen, Marienplatz 11.  
Doering-Film Werke G. m. b. H., Berlin NW 40, Schleffenauer 39-31.  
Dux-Film G. m. b. H., Berlin W 50, Kurfuerstendamm 236.  
Eichberg-Film G. m. b. H., Berlin-Charlottenburg 4, Giesebrechtstr. 10.  
Eros-Film G. m. b. H., Berlin SW 68, Friedrichstr. 19.  
Euphonia Film Ges. m. b. H., Berlin SW 68, Friedrichstr. 224.  
Europaeische Film-Allianz (E. F. A.) G. m. b. H., Berlin-Halensee, Cicerostr. 2-6.  
Ewald-Filmges, m. b. H., Hans, Berlin W 35, Kluckstr. 8.  
Excentric-Film Zorn & Tiller G. m. b. H., Berlin Wilmersdorf, Motzstr. 84.  
Fabrikation deutscher Filme G. m. b. H., Berlin W 15, Kurfuerstendamm 226.  
Fanal-Film Produktion G. m. b. H., Berlin W 15, Kurfuerstendamm 226.  
Film-Ingenieur Lassally G. m. b. H., Berlin-Charlottenburg 5, Wilzlebenstr. 12.  
Filmpeter, Peter Gscheidl, Berlin W 50, Jauentzlienstr. 6.  
Pink (Horu) Filmherstellung, Berlin-Leichtenberg, Hendrich Platz 25.  
Fischer-Film, Berlin SW 68, Friedrichstr. 214.  
Fjord-Film Produktion G. m. b. H., Olaf, Berlin Halensee, Cicerostr. 2-6.  
Fortuna-Film Uwe Behrens, Berlin W 50, Budapest Str. 49.  
Foto-Flink, Berlin N 20, Badstr. 8b.  
Fox-Toenende Wochenschau A. G., Berlin SW 68, Friedrichstr. 225.  
Deutsche Gesellschaft fuer wissenschaftliche Filme m. b. H., Berlin NW 40, Hinderstr. 3.  
Asen & Leckebusch, Muenchen 19, Tizianstr. 16.  
Fritsch Tonfilm G. m. b. H., Berlin-Halensee, Cicerostr. 63.  
Froelich-Film G. m. b. H., Berlin-Tempelhof, Borusslastra. 45-49.  
Gasparcolor Werbefilme G. m. b. H., Berlin W 50, Tauentzlienstr. 3.  
Gebr. Diehl Film, Berlin.  
German Railroads Information Office, West 57th Street, New York, New York.  
Gemeinnuetzige Kulturfilm Vertrieb, Berlin.  
Gervid-Film, Berlin Grunewald, Am Vogelhud 14.  
Haeseki-Filmvertrieb, Kemm, Ges., Berlin SW 68, Alexandrinenstr. 137.  
Hamburg-America and North German Lloyd, 57 Broadway, New York, New York.  
Henning Werbefilm, Berlin-Halensee, Kurfuerstendamm 153.  
Herzog-Film G. m. b. H., Berlin SW 68, Friedrichstr. 13.  
Hessenland-Film Robert Fuerst, Kassel, Moenchebergstr. 44.  
Hisa-Film G. m. b. H., Berlin SW 68, Friedrichstr. 25-26.  
Hispano-Film Produktion Johann W. Ther, Berlin SW 68, Friedrichstr. 208.  
H. T. Film, G. m. b. H., Berlin SW 68, Friedrichstr. 25-26.  
Imagoton Filmges. m. b. H. Berlin W. 30, Mackensenstr. 19.  
Internationale Kinematographen-und Film-Zentrale "Pallas" Berlin SW 68, Friedrichstr. 35—Lenauer Internationale.  
Italaflm G. m. b. H., Berlin SW 68, Hede-mannstr. 14.  
Klagemann-Film G. m. b. H., Berlin SW 68, Friedrichstr. 225.  
K. L. Film G. m. b. H., Berlin SW, Friedrichstr. 13.

"Kifo" Helmut Bousset, Berlin W 8, Mohrenstr. 48.  
K. M. R.-Tonfilm G. m. b. H., Berlin SW 68, Friedrichstr. 207.  
Koervesi & Bethke, Kulturfilm-Produktion, Berlin SW 68, Kochstr. 5.  
Kraska-Film, Berlin-Stiglitz, Mariendorfer Str. 45.  
Krebs, Dr. Alexander, Berlin-Wilmersdorf, Landhausstr. 38.  
Kruschke, Kurt, Berlin W 30, Gleditschstr. 67.  
Krutzberg-Film G. m. b. H., Lola, Berlin W 50, Passauer Str. 17.  
Kruse, Dr. Werner, Berlin NW 87, Siegmundshof 21.  
Kuehnemann-Film Arnold, Koerbeskrug ueber Koenigswusterhausen.  
Kulturfilm Institute G. m. b. H., Berlin, SW 68, Kochstrasse 6/7.  
Kulturfilm Puchstein, Berlin-Tempelhof, Werner-Boss-Dam 7.  
Lamprecht Film Produktion G. m. b. H., Gerhard, Berlin SW 68, Friedrichstr. 224.  
Landeskulturfilm Karl Schneider, Berlin-Tempelhof, Manfred-von-Richthofen Str. 179.  
Leipzig Trade Fair, Inc., Leipzig, Germany—Administration of The Leipzig Fair, Leipzig, Germany.  
Lemki, Geo., Berlin W 35, Buelowstr. 8.  
Lex-Film, Albert Graf von Pestalozza, Berlin-Schoeneberg, Innsbruckerstr. 7.  
Leydechrom G.m.b.H., Neubabelsberg bei Potsdam Schillerstr. 9-15.  
Lieberenz, Paul, Berlin-Wilmersdorf, Guentzelstr. 61.  
Linke & Co., C. A. Dresden, Sternplatz 1.  
Luedtke, Dr. Rohnstein & Co., Berlin SW 68, Alte Jakobstr. 133.  
Maer Kische Panorama, Schneider—Panorama Film G.m.b.H., Berlin, SW 68, Kochstrasse.  
Mal-Rodegg-Film, Berlin-Friedenau, Isoldestr. 10.  
Majestic-Film Gesellschaft m.b.H., Berlin W 15, Kurfuerstendamm 225.  
Marsfilm G.m.b.H., Berlin W 8, Jaegerstr. 13.  
Maxim-Film G.m.b.H., Berlin SW 68, Friedrichstr. 19.  
Meyenfilm, Aberingenieur Fritz Meyen, Berlin-Charlottenburg, 2 Kneesebeckstr. 28.  
Minerva Tonfilm G.m.b.H., Berlin SW 68, Friedrichstr. 224.  
Minzloff, Hans L., Berlin-Mariendorf, Rathausstr. 69.  
Meteor-Film G.m.b.H., Berlin NW 7, Unter den Linden 24.  
Missionsfilm e.G.m.b.H., Berlin O 27, Alexanderstr. 45.  
Moldaval Tobis-Cinema Film, Berlin, W 8, Mauerstrasse 43.  
Naturfilm Hubert Schonger, Berlin SW 11, Anhalter Str. 7.  
Nehrke - Kurztonfilm - Produktion, Kurt, Berlin SW 68, Friedrichstr. 13.  
Nerthus-Film Curt Haensel, Berlin NW 7, Unter den Linden 38.  
Neuberger, Hans, Berlin SW 68, Friedrichstr. 8.  
Neucophon - Tonfilm - Produktions-u Vertriebs-Ges.-m.b.H., Berlin W 8, Friedrichstr. 181.  
Neue Film-Komm-Ges. Erich Engels, (N. F. K.) Berlin W 15, Kurfuerstendamm 32.  
Niemeier, Heinz, Berlin S 42, Ritterstr. 92.  
Nordmark-Film, Kulturfilme, Kiel, Tirpitzstr. 5.  
Oertel Cust, Berlin-Schoeneberg, Meranerstr. 9.  
Olympia-Film G.m.b.H., Berlin SO 36, Harzer Str. 39.  
Ondra-Lamac-Film G.m.b.H., Berlin SW 68, Friedrichstr. 12.  
Oppen, Paul, Berlin SW 68, Friedrichstr. 238.  
Pallas-Film G.m.b.H., Berlin-Charlottenburg 2, Joachimsthaler St. 38.  
Panorama-Film G.m.b.H., Berlin SW 68, Kochstr. 6-7.  
Patria-Film Produktion U. Vertriebs G.m.b.H., Berlin SW, Friedrichstr. 19.



Paulmann, Friedrich, Berlin-Friedenau, Begasstr. 8.  
 Piel-"Ariel-Film"-Produktion, Harry, Berlin NW 7, Unter den Linden 64.  
 "Proverb" Der Deutsche Propaganda und Werbedienst G.m.b.H., Berlin-Halensee, Kurfuerstendamm 153.  
 Puhlfuerst, Curt, Chemnitz, Bernbachplatz 4.  
 Prag-Film, G. m. b. H., Prague and Berlin.  
 Randolf Film G. m. b. H., Rolf, Berlin SW 68, Friedrichstr. 19.  
 Raschke Schmalfilm, Berlin NW 40, Werftstr. 1.  
 Rota, Berlin.  
 R. N. Film-Produktion G. m. b. H., Berlin W 62, Budapeststr. 3.  
 Scala Film-Produktions Ges. m. b. H., Berlin W 15, Kurfuerstendamm 199.  
 Schmeisser Trick und Werbefilm, Frank, Berlin SW 61, Bluecherstr. 13.  
 Schmid-Wildy, L. & W Film, Ludwig, Muenchen 13, Schellingstr. 93.  
 Schmidt Delta Filmproduktions und Vertriebs, Ges. m. b. H., Hermann, Berlin W 15, Kurfuerstendamm 206-207.  
 Schulz & Wuellner Filmfabrikation und Vertrieb G. m. b. H., Berlin SW 68, Friedrichstr. 224.  
 Schumann, Curt, Berlin-Charlottenburg 9, Mecklenburg-Allee 6.  
 Schwab, Erich, Berlin-Charlottenburg, Carmerstr. 8.  
 Schwertfeger-Film, Berlin-Weissensee, Sedanstr. 47c.  
 Siegert-Film-Produktion, Chemnitz, Bretgasse 1.  
 "Sonne-Film" Fiedler & Siebert, Berlin SW 68, Friedrichstr. 23.  
 Siegel Monopol Film G. m. b. H., Dresden A, Altmärket 4.  
 Sirtius-Farbenfilm G. m. b. H., Berlin SW 68, Alexandrinenstr. 137.  
 Stark G. m. b. H., Lothe, Berlin W 50, Kerlbacker Str. 14.  
 Stier, Dr. Ing. Friedrich, Berlin-Charlottenburg Hardenbergstr. 40.  
 Stier & Linke, Ges. m. b. H., Dr., Berlin NW 87, Lessingstr. 18.  
 Stoecker-Film Aktiengesellschaft, Berlin W 9, Schellingstr. 7.  
 Stoedtner-Film Dr. F. Stoedtner, Wessenschäftliche Filme G. m. b. H., Berlin C 2, Kaiser Wilhelmstr. 55.  
 Suevia-Film G. m. b. H., Berlin W 8, Jaegerstr. 13.  
 Syndikatfilm, G. m. b. H., Berlin SW 68, Hedemanstrasse 21.  
 Super Film, Berlin.  
 Telos-Film G. m. b. H., Berlin-Stiglitz, Dueppelstr. 3.  
 Terra-Film A. G., Berlin W 8, Mauerstr. 83-84.  
 Tiller-Film Hans Tiller, Berlin W 8, Friedrichstr. 173.  
 Tobis-Cinema Film A. G., Berlin W 7, Mauerstr. 43.  
 Tobis-Europa Film A. G., Berlin SW 68, Friedrichstr. 207.  
 Tobis Melofilm Ges. m. b. H., Berlin W 8, Mauerstr. 43.  
 "Tollrag" Ton und Lichtbild-Reklame A. G., Berlin W 50, Kurfuerstendamm 236.  
 Tonfilm-Studio Carl Froelich & Co. O. H., Berlin Tempelhof Borussiastr. 45-49.  
 Tonlicht-Film G. m. b. H., Ostermayr, Berlin W 62, Wittenberghplatz 1.  
 Trenker-Film G. m. b. H., Luis, Berlin W 8, Friedrichstr. 194-199.  
 Triangel-Film G. m. b. H., Berlin SW 68, Friedrichstr. 12.  
 Trias-Film-Produktion G. m. b. H., Berlin W 15, Meinekestr. 14.  
 Trickfilmatelier Waechter, Berlin NW 87, Brueckenallee 31.  
 Ulrich & Nuess K. U. Filmproduktions und Vertriebs G. m. b. H., Berlin SW 68, Friedrichstr. 23.  
 Universum-Film A. G. "Ufa", Berlin SW 19, Krausenstr. 38-39.  
 Universum Filmkunst, Berlin.  
 Wallis-Filmfabrikation, Erich, Berlin-Wilmersdorf Laubenheimer Platz 1.

Wehrum-Film, Berlin-Halensee, Halberstaedterstr. 4-5.  
 Westeuropäische Film A. G., Berlin SW 68, Friedrichstr. 19.  
 Wien, G. m. b. H., Vienna, and Berlin.  
 Witt-Film G. m. b. H., Georg, Berlin SW 68, Hedemannstr. 14.  
 Woelffer Filmproduktions G. m. b. H., Hans, Berlin W 15, Kurfuerstendamm 206.  
 Zorn Schmalfilm, G. m. b. H., Werner, Berlin W 50, Kurfuerstendamm 237.

[F. R. Doc. 43-5023; Filed, April 1, 1943; 10:30 a. m.]

[Vesting Order 1049]

#### CONTRACT RIGHTS OF ETTORE BUGATTI

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ettore Bugatti of Molsheim, Bas-Rhin, France is a national of a foreign country (France);
2. Finding that said Ettore Bugatti has an interest in a certain license described in subparagraph 4 hereof;
3. Finding that the heirs, legal representatives and assigns, if any, of said Ettore Bugatti are national of a foreign country (France);
4. Finding that the property described as follows:

The interest of Ettore Bugatti, his heirs, legal representatives and assigns, and each of them, in and under a certain license granted to him by Goodyear-Zeppelin Corporation, Akron, Ohio, which license relates to an United States Patent Application Serial No. 83,687, filed June 5, 1936 (now United States Letters Patent No. 2,269,685), and is evidenced by a document executed on July 21, 1939 by said Goodyear-Zeppelin Corporation,

is property payable on held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a nation or nationals of a foreign country (France);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained

shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL]

LEO T. CROWLEY,  
 Alien Property Custodian.

[F. R. Doc. 43-5024; Filed, April 1, 1943; 10:27 a. m.]

[Vesting Order 1051]

#### CONTRACT RIGHTS OF KARL IMHOFF

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Karl Imhoff, a resident of Germany, is a national of a foreign country (Germany);
2. Finding that said Karl Imhoff has an interest in the agreement described in subparagraph 4 hereof;
3. Finding that the heirs, legal representatives and assigns, if any, of said Karl Imhoff are nationals of a foreign country (Germany);
4. Finding, therefore, that the property described as follows:

The interest of Karl Imhoff, his heirs, legal representatives and assigns, and each of them, in and under a certain agreement dated December 23, 1938, between said Karl Imhoff and The Dorr Company, Inc., a Delaware corporation, and relating among other things to United States Letters Patent No. 1,797,147, including all royalties or other monies payable or held with respect to said interest and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on



Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5025; Filed, April 1, 1943;  
10:28 a. m.]

Serial No.	Filing date	Inventor	Title
322,422	3/5/40	T. Weinberger.....	Device for conveying wires through baths.

is property of a national of a foreign country (Switzerland);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and  
5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5026; Filed, April 1, 1943;  
10:28 a. m.]

[Vesting Order 1052]

#### PATENT APPLICATIONS OF GALVANOCOR, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Galvanocor, A. G. is a corporation organized under the laws of Switzerland doing business at Bergdorf, Switzerland, and is a national of a foreign country (Switzerland);
2. Finding that said Galvanocor, A. G. is the record owner of the patent application described in subparagraph 3 hereof;
3. Finding, therefore, that the property described as follows:

[Vesting Order 1053]

#### CONTRACT RIGHTS OF FURUKAWA DENKIKOGYO KABUSHIKI KAISHA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Furukawa Denikogyo Kabushiki Kaisha is a corporation organized under the laws of and having its principal place of business in Japan, and is a national of a foreign country (Japan);
2. Finding that said Furukawa Denikogyo Kabushiki Kaisha has an interest in the contract described in subparagraph 4 hereof;
3. Finding that the successors and assigns, if any, of said Furukawa Denikogyo Kabushiki Kaisha are nationals of a foreign country (Japan);
4. Finding, therefore, that the property described as follows:

The interest of Furukawa Denikogyo Kabushiki Kaisha, its successors and assigns, and each of them, in, to and under a certain contract relating to patents, dated February 1, 1935, by and between said Furukawa Denikogyo Kabushiki Kaisha and General Cable Corporation, a New Jersey corporation, and all amendments of and supplements to said contract including, but not by way of limitation, three letters dated February 7, 1935, April 2, 1935, and April 30, 1935, respectively, and all accrued royalties and other monies payable or held with respect to said interest, and all damages for breach of said contract together with the right to sue therefor,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and
6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, ad-

ministered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5027; Filed, April 1, 1943;  
10:29 a. m.]

[Vesting Order 1054]

#### I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement between it and The Goodyear Tire and Rubber Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of, and having its principal place of business in, Germany and is a national of a foreign country (Germany);
2. Finding that said I. G. Farbenindustrie Aktiengesellschaft has an interest in the agreement described in subparagraph 4 hereof;
3. Finding that the successors and assigns, if any, of said I. G. Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany);
4. Finding, therefore, that the property described as follows:

The interest of I. G. Farbenindustrie Aktiengesellschaft, its successors and assigns, and each of them, in and under a certain agreement dated November 5, 1936, by and between The Goodyear Tire and Rubber Company, a corporation of Ohio, and said I. G. Farbenindustrie Aktiengesellschaft, which



agreement relates to the United States Patent Applications Serial Nos. 688,437, 752,123, and 755,022, now United States Patents Nos. 2,175,809, 2,188,280 and 2,247,917 respectively.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interest held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5028; Filed, April 1, 1943;  
10:28 a. m.]

[Vesting Order 1055]

#### I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

Re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with Hercules Powder Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany doing business at Frankfurt-on-the-Main, Germany, and is a national of a foreign country (Germany);

2. Finding that said I. G. Farbenindustrie Aktiengesellschaft has an interest in the

agreement described in subparagraph 4 hereof;

3. Finding that the successors and assigns, if any, of said I. G. Farbenindustrie Aktiengesellschaft are nationals of a foreign country (Germany);

4. Finding, therefore, that the property described as follows:

The interest of I. G. Farbenindustrie Aktiengesellschaft, its successors and assigns, and each of them, in and under an agreement dated June 28, 1940, by and between Hercules Powder Company, a Delaware corporation, and the said I. G. Farbenindustrie Aktiengesellschaft, relating, among other things, to United States Letters Patent No. 1,921,856, pertaining to the manufacture of hydrogen and carbon monoxide from gaseous hydrocarbons, including all royalties and other monies payable or held with respect to said interest, and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5029; Filed, April 1, 1943;  
10:28 a. m.]

[Vesting Order 1056]

#### PATENT OF VICTOR MORITZ GOLDSCHMIDT AND INTEREST IN AN AGREEMENT RELATING TO PATENTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Victor Moritz Goldschmidt, a resident of Oslo, Norway, is a national of a foreign country (Norway);

2. Finding that said Victor Moritz Goldschmidt is the owner of the property described in subparagraph 4 hereof;

3. Finding that the heirs, administrators, executors and assigns, if any, of said Victor Moritz Goldschmidt are nationals of a foreign country (Norway);

4. Finding, therefore, that the property described as follows:

a. All right, title and interest in and to the following United States Letters Patent, which stands of record in the United States Patent Office in the name of said Victor Moritz Goldschmidt, including all royalties and all damages recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

Patent number	Date of issue	Inventors	Title
1,926,094	9/12/33	Victor Moritz Goldschmidt, Gottingen and Karl Siedentopf, Frankfurt-on-the-Main, Germany.	Process of manufacturing highly refractory products.

b. The interest of Victor Moritz Goldschmidt, his heirs, administrators, executors and assigns, and each of them, in and under an agreement relating to patents, dated April 25, 1934, between said Victor Moritz Goldschmidt and Harbison-Walker Refractories Company, a Pennsylvania corporation, subject to and including all amendments thereof and supplements thereto including, but not by way of limitation, an agreement dated October 31, 1935 between said Victor Moritz Goldschmidt and said Harbison-Walker Refractories Company and a letter dated October 28, 1940 addressed to said Harbison-Walker Refractories Company and signed by Victor Moritz Goldschmidt, and all royalties and other monies payable or held with respect to said interest and all damages for breach of said agreement and the amendments thereof and supplements thereto, together with the right to sue therefor,

is property of or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Norway);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an ap-



propriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5030; Filed, April 1, 1943;  
10:28 a. m.]

[Vesting Order 1057]

BADISCHE ANILIN & SODA FABRIK AND I. G. FARBEINDUSTRIE A. G.

Re: Interest of Badische Anilin & Soda Fabrik and I. G. Farbenindustrie A. G. in an agreement relating to United States Patent Number 1,557,844.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Badische Anilin & Soda Fabrik is, or if it has ceased to exist was, a corporation organized under the laws of and having its principal place of business in Germany, and is (or, if it has ceased to exist, was) a national of a foreign country (Germany);

2. Finding that I. G. Farbenindustrie A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

3. Finding that I. G. Farbenindustrie A. G. is the successor in business of Badische Anilin & Soda Fabrik;

4. Finding that said Badische Anilin & Soda Fabrik had, and I. G. Farbenindustrie A. G. has, an interest in the agreement described in subparagraph 6 hereof;

5. Finding that the successors and assigns, if any, of said Badische Anilin & Soda Fabrik and I. G. Farbenindustrie A. G. are nationals of a foreign country (Germany);

6. Finding, therefore, that the property described as follows:

The interests of Badische Anilin & Soda Fabrik and I. G. Farbenindustrie A. G., their successors and assigns, and each of them, in and under an agreement dated April 30, 1921 between said Badische Anilin & Soda Fabrik, Adolf Kuttroff and Rohm & Haas Company, a Delaware corporation, which agreement relates, among other things, to Patent Application Serial No. 395,127, which subsequently

matured into Patent No. 1,557,844, including all royalties and other monies payable or held with respect to said interests and all damages for breach of said agreement, together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national or nationals of a foreign country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 11, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5031; Filed, April 1, 1943;  
10:29 a. m.]

[Vesting Order 1058]

CONTRACT RIGHTS OF FRANZ MEIWAUD AND SIEMENS & HALSKE A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Franz Meiwald is a resident of Vienna, Germany, and is a national of a foreign country (Germany);

2. Finding that Siemens & Halske A. G., is a corporation organized under the laws of Germany doing business at Berlin-Siemensstadt, Germany, and is a national of a foreign country (Germany);

3. Finding that the heirs, executors, administrators and assigns, if any, of said

Franz Meiwald are nationals of a foreign country (Germany);

4. Finding that the successors and assigns, if any, of said Siemens & Halske A. G. are nationals of a foreign country (Germany);

5. Finding that said Franz Meiwald and Siemens & Halske A. G. have interests in the agreement described in subparagraph 6 hereof;

6. Finding, therefore, that the property described as follows:

The interest of Franz Meiwald, his heirs, executors, administrators and assigns, and each of them, and the interest of Siemens & Halske A. G., its successors and assigns, and each of them, in and under a certain agreement between the said Franz Meiwald and Associated Electric Laboratories, Inc., a Delaware corporation, dated November 2, 1935, and recorded in the assignment records of the United States Patent Office on November 21, 1935, in Liber Z 164, page 124, which agreement relates among other things to United States Letters Patent No. 1,978,591, including all royalties and other monies payable or held with respect to said interests and all damages for the breach of the said agreement together with the right to sue therefor,

is property payable or held with respect to a patent or right related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 11, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5032; Filed, April 1, 1943;  
10:29 a. m.]



[Vesting Order 1059]

## TRADE-MARK "L'OFFRANDE" AND REGISTRATION THEREOF OWNED BY PETER MUELHENS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Peter Muelhens, whose last known address is Cologne, Germany, is a national of a foreign country (Germany);

2. Finding that Peter Muelhens is the owner of the property described in subparagraph 3 hereof;

3. Finding therefore that the property described as follows:

The trade-mark registered in the United States Patent Office on March 13, 1923 under the number 165,585 (the title to which stands of record in the name of Peter Muelhens, of Cologne, Germany) and the registration thereof, together with the good will of the business in the United States and all its possessions to which the trade-mark is appurtenant and any and all indicia of such good will (including but not limited to formulae, whether secret or not, secret processes, methods of manufacture and procedure, customers lists, labels, machinery and other equipment) and any interest of any nature whatsoever in, and any rights and claims of every character and description to, said business, good will and trade-mark and registration thereof, including without limitation all accrued royalties payable or held with respect to said trade-mark and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof,

is property in which a national of a foreign country (Germany) has an interest;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 11, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5033; Filed, April 1, 1943;  
10:29 a. m.]

[Vesting Order 1062]

## PATENT INTEREST OF ERNST WEISSE

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ernst Weisse is a resident of Berlin-Steglitz, Germany, and a national of a foreign country (Germany);

2. Finding that said Ernst Weisse is the owner of an interest in the patent described in subparagraph 3 hereof;

3. Finding, therefore, that the property described as follows:

All right, title and interest in and to an undivided  $\frac{3}{4}$ ths (60%) interest, which stands of record in the United States Patent Office in the name of Ernst Weisse, in and to United States Letters Patent No. 2,080,352, dated May 11, 1937, Inventor Ernst Weisse, for Optical Instrument, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled,

is property payable or held with respect to a patent in which an interest is held by, and such property itself constitutes an interest held therein by, a national of a foreign country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 12, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5034; Filed, April 1, 1943;  
10:30 a. m.]

[Vesting Order 1144]

## ESTATE OF GAUDENZIO EUSEBIO TAVASCI

In re: Estate of Gaudenzio Eusebio Tavaschi, also known as Gaudenzio E. Tavaschi, G. E. Tavaschi and Joe Tavaschi, deceased; File D-38-1171; E.T. sec. 3234.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Executor of the estate of Gaudenzio Eusebio Tavaschi, also known as Gaudenzio E. Tavaschi, G. E. Tavaschi and Joe Tavaschi, deceased, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Executor, administrator, next of kin and heirs at law, names unknown, of Bernardo Tavaschi, deceased—	Italy.
Margherita Tavaschi.	Colorado, Gordona, Province of Sondrio, Italy.
Salvatore Tavaschi—	Colorado, Gordona, Province of Sondrio, Italy.
Tranquillo Tavaschi.	Colorado, Gordona, Province of Sondrio, Italy.
Tilda Tavaschi—	Colorado, Gordona, Province of Sondrio, Italy.
Lea Tavaschi—	Colorado, Gordona, Province of Sondrio, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash in the sum of \$7,000.00, the property of the executor, administrator, next of kin and heirs at law, names unknown, of Bernardo Tavaschi, deceased, Margherita Tavaschi, Salvatore Tavaschi, Tranquillo Tavaschi, Tilda Tavaschi and Lea Tavaschi, in the possession of the Bank of America National Trust and Savings Association, Executor, Los Angeles, California,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.



Such property, and interests and any or all of the proceeds thereof, shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5035; Filed, April 1, 1943;  
10:30 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Revocation of Order 11 Under MPR 169]

##### JONES COUNTRY VEAL

#### ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 11 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts; Docket No. 3169-66.

Order No. 11 to Maximum Price Regulation No. 169, as amended, effective November 2, 1942, is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4893; Filed, March 30, 1943;  
3:47 p. m.]

[Revocation of Order 18 Under MPR 169]

##### EARL H. SCHURR

#### ORDER GRANTING ADJUSTMENT

Order No. 18 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts; Docket No. 3169-43.

Order No. 18, to Maximum Price Regulation No. 169 as amended, effective November 28, 1942, is hereby revoked.

This order of revocation shall become effective April 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 7 F.R. 7871)

Issued this 30th day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4894; Filed, March 30, 1943;  
3:48 p. m.]

[Order 8 Under MPR 20]

#### UNIVERSAL METAL & SMELTING CORP.

#### ORDER GRANTING EXCEPTION

Order No. 8 under Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1309.70 (g) (4) of Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) Universal Metal & Smelting Corp., of Brooklyn, N. Y., may pay and any person may charge Universal Metal & Smelting Corp., the premiums for No. 1 Copper Wire and No. 1 Heavy Copper, No. 1 Tinned Copper Wire and No. 1 Tinned Heavy Copper, Copper Borings, and No. 2 Copper Wire and Mixed Heavy Copper in briquettes or in crucible shape, provided for in § 1309.70 (d) (1) (i) of Maximum Price Regulation No. 20.

(b) The terms used in this order shall have the meaning given them by Maximum Price Regulation No. 20.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective as of March 22, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4984; Filed, March 31, 1943;  
4:44 p. m.]

[Order 9 Under MPR 20]

#### HIGH DUTY BRONZE AND ALUMINUM, INC.

#### ORDER GRANTING EXCEPTION

Order No. 9 under Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1309.70 (g) (4) of Maximum Price Regulation No. 20—Copper Scrap and Copper Alloy Scrap, *It is hereby ordered:*

(a) High Duty Bronze and Aluminum, Inc., of Seattle, Washington, may pay and any person may charge High Duty Bronze and Aluminum, Inc., the premiums for No. 1 Copper Wire and No. 1 Heavy Copper, No. 1 Tinned Copper Wire and No. 1 Tinned Heavy Copper, copper borings, and No. 2 Copper Wire and mixed heavy copper in briquettes or in crucible shape, provided for in § 1309.70 (d) (1) (i) of Maximum Price Regulation No. 20.

(b) The terms used in this order shall have the meaning given them by Maximum Price Regulation No. 20.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective as of March 22, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4985; Filed, March 31, 1943;  
4:44 p. m.]

[Order 31 Under MPR 152]

#### GREEN VALLEY FOOD PRODUCTS, INC.

#### APPROVAL OF MAXIMUM PRICE

Order No. 31 Under Maximum Price Regulation No. 152—Canned Vegetables.

Approval of maximum price for Green Valley Food Products, Incorporated, 606 West Wisconsin Avenue, Milwaukee, Wisconsin.

The Green Valley Food Product, Incorporated, 606 West Wisconsin Avenue, Milwaukee, Wisconsin, has filed an application for specific authorization to charge a particular maximum price pursuant to § 1341.22 (d) of Maximum Price Regulation No. 152.

Due consideration has been given to the information submitted by applicant with respect to the packing of fancy quartered beets in sixteen ounce glass containers.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered that:*

(a) The Green Valley Food Products, Incorporated, may sell, offer to sell or deliver and any person may buy, offer to buy or receive fancy quartered beets packed in sixteen ounce glass containers at a maximum price of \$1.02 per dozen f. o. b. factory.

(b) This Order No. 31 may be revoked or amended by the Price Administrator at any time.

(c) The applicant, Green Valley Food Products, Incorporated shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended shall be applicable to the terms used herein.

(e) This order shall become effective on April 1, 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4989; Filed, March 31, 1943;  
4:44 p. m.]

[Order 23 Under MPR 157]

#### BROAD BROOK COMPANY

#### ORDER GRANTING ADJUSTMENT

Order No. 23, under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related



Mill	Fabric	Yardage	Price
Santa Isabella.....	Urrutia Grey Birdseye.....	1,309	\$3.92
	Urrutia Blue Birdseye.....	1,218	3.92
	Urrutia Brown Birdseye.....	1,306	3.92
Busqueta.....	Derby 49.....	824	3.450
	Derby 47.....	205	3.456
	Derby 22.....	1,518	3.456
	Derby 21.....	841	3.456
	Derby 79.....	122	3.456
	Derby 44.....	154	3.456
	Derby 122.....	1,408	3.456
	Derby 60.....	38	3.456
	Derby 75.....	121	3.456
	Derby 113.....	41	3.456
	Derby 74.....	42	3.456
El Nuevo Mundo.....	Oxford 175 x.....	21	3.952
	Oxford 276.....	171	3.952
	Oxford 89.....	26	3.952
	Oxford 353.....	34	3.952
	Oxford 12.....	29	3.952
	Oxford 237.....	69	3.952
	Oxford 151.....	24	3.952
	Oxford 272.....	66	3.952
San Ildefonso.....	Popotillo Azul.....	1,560	5.012
	Popotillo Cafe.....	662	5.012
	Vienna Azul x.....	2,457	4.026
	Vienna Cafe x.....	1,187	4.026
	Vienna Azul.....	45	4.026
	Vienna Cafe.....	163	4.026
Santiago.....	Urrutia Azul.....	3,319	2.65
	Urrutia Cafe.....	511	3.65
El Palacio de Hierro.....	Londres 180.....	45	4.033
	Londres 42.....	200	4.033
	Londres 58.....	127	4.033
	Londres 95.....	200	4.033
	Londres 163.....	164	4.033
	Londres 39.....	41	4.033
	Londres 86.....	39	4.033
	Londres 130.....	214	4.033
	Londres 133.....	41	4.033
	Londres 189.....	129	4.033



Mill	Fabric	Yardage	Price
San Idelfonso	Royal 4	865	\$5.850
	Royal 4A	1,991	5.850
	Royal 11	896	5.850
	Royal 24A	661	5.850
	Royal 51B	172	5.850
	Royal 20	77	5.850
	Royal 510	246	5.850
	Royal 28	20	5.850
	Marcelino 53	237	3.88
	Marcelino 52	117	3.88
	Marcelino 51D	80	3.88
	Marcelino 51B	243	3.88
	Marcelino 52B	533	3.88
	Marcelino 52C	270	3.88
	Marcelino 53A	280	3.88
	Marcelino 52A	760	3.88
	Marcelino 51F	777	3.88
	Marcelino 53C	252	3.88
	Marcelino 25856	950	3.88
	Marcelino 25857	716	3.88
	Marcelino 49	385	3.88
	Marcelino 55	1,094	3.88
	Marcelino 9	1,961	3.88
	Marcelino 25862	736	3.88

This amendment shall become effective March 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4997; Filed, March 31, 1943;  
4:58 p. m.]

[Order 10 Under MPR 244]

CHEMUNG FOUNDRY CORPORATION  
ADJUSTMENT OF MAXIMUM PRICES

Order No. 10 under § 1421.157 (a) of  
Maximum Price Regulation 244—Gray  
Iron Castings; Docket No. 1244-1-P.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration: *It is hereby ordered:*

*Adjustment of maximum prices for gray iron castings sold by Chemung Foundry Corporation.* (a) On and after November 16, 1942, Chemung Foundry Corporation is hereby authorized to sell, offer to sell and deliver gray iron castings of the following descriptions to the following purchasers, and said purchasers are hereby authorized to buy, offer to buy and receive said castings, at prices not in excess of the following maximum prices, f. o. b. Elmira, New York:

Purchaser	Description of castings	Maximum prices (cents per lb.)
Shepard Niles Crane & Hoist Corporation, Montour Falls, N. Y.	Castings for cranes, hoists and electric motors.	1 to 25 lbs. . . . . 09 26 to 250 lbs. . . . . 085 251 to 500 lbs. . . . . 08 501 to 1,000 lbs. . . . . 075 1,000 lbs. up. . . . . 07
International Business Machines Corporation, Endicott, N. Y.	Castings for accounting machines.	1 to 50 lbs. up. . . . . 09 51 to 100 lbs. . . . . 085 101 lbs. up. . . . . 0725
The Hilliard Corporation, Elmira, N. Y.	Power transmission equipment castings (mechanical) and oil reclaimer castings.	1 to 25 lbs. . . . . 0875 26 to 50 lbs. . . . . 0825 51 to 500 lbs. . . . . 0775 501 lbs. up. . . . . 0675
Ward LaFrance Truck Division, Elmira, N. Y.	Heavy Army M-1 wrecker castings (all iron).	105

(b) The permission herein granted to the Chemung Foundry Corporation is subject to the following condition: Said Company shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., the following documents: all prepared in accordance with recognized accounting principles and submitted under oath or affirmation; (1) Monthly profit and loss statements covering its gray iron castings operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (2) monthly profit and loss statements covering its over-all operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (3) quarterly balance

sheets, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the first calendar quarter of 1943; (a) statements of its average per pound price for gray iron castings sold each month and its average per pound costs for the gray iron castings sold, said statements to be filed within thirty days after the close of each month beginning with the month of March 1943; (5) the profit and loss statements filed pursuant to (1) and (2) of this paragraph must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv)

net profits before income and excess profits taxes: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 10 may be revoked or amended by the Price Administrator at any time.

This Order No. 10 shall become effective April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4998; Filed, March 31, 1943;  
4:59 p. m.]

[Order 14 Under RPS 53]

SPENCER KELLOGG AND SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 14 under Revised Price Schedule No. 53—Fats and Oils.

Establishing Maximum Prices for Spencer Kellogg and Sons, Incorporated, Buffalo, New York, on its "Kellko" Brand of shortening.

On November 12, 1942, Spencer Kellogg and Sons, Incorporated, Buffalo, New York, filed an application for adjustment of its maximum price on its Kellko shortening. On November 30, it filed a supplemental application, and on February 15, 1943, it filed additional information by letter.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53, *It is hereby ordered:*

(a) The maximum delivered price of Spencer Kellogg and Sons, Inc.'s Kellko shortening, in that area defined in § 1351.151 (b) (12) (viii) as North, shall be the following prices:

	Cents per lb.
Kellko shortening, in packages	16 3/4
Kellko shortening, in bulk	14 1/2

(b) The provisions of §§ 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this order for Kellko.

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

This Order No. 14 shall become effective April 1, 1943.



(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4987; Filed, March 31, 1943;  
4:44 p. m.]

[Order 3 Under Supp. Order 9]

RAY-O-VAC COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 3 under § 1305.12 of Supplementary Order No. 9—Commodities or Services under Government Contracts—Application for Adjustment of Maximum Prices.

Granting adjustment of maximum prices for sales of Models BA-32 and BA-41 Batteries by Ray-O-Vac Company to the United States Army.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is ordered:

(a) Ray-O-Vac Company, Madison, Wisconsin, is authorized to sell and deliver to the United States Government or any agency thereof, and to any person who holds a contract or subcontract under which the batteries are to be supplied for the ultimate use of the United States Government, the following batteries at price per unit, f. o. b. factory, no higher than those set forth below:

Model:	Price
BA-32.....	\$3.33
BA-41.....	1.80

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

This Order No. 3 shall become effective on the 6th day of April 1943.

Issued this 31st day of March 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-4983; Filed, March 31, 1943;  
4:44 p. m.]

[Restriction Order 1]

MEAT RESTRICTION ORDER

TRANSFER OF ADMINISTRATION TO DEPARTMENT OF AGRICULTURE

NOTE: For text of joint order of Office of Price Administration and Department of Agriculture transferring from the former to the latter the administration of Restriction Order 1 see page 4151 of this issue.

Regional Office, Region I.

[Amendment 5 to Emergency Order 5 Under RO 11]

RESIDUAL OIL SHORTAGE IN SOUTHERN NEW ENGLAND

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraph (c) (13) of Emergency Order No. 5 is amended to read as follows:

(c) Order. \* \* \*

(13) Effective period. Emergency Order No. 5 shall terminate at 12:00 p. m., April 2, 1943 unless extended by further order.

Effective date of Amendment 5. Amendment 5 to Emergency Order No. 5 shall be effective at 12:00 p. m., March 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, 7 F.R. 8418; E.O. 9125; 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 23d day of March 1943.

KENNETH B. BACKMAN,  
Regional Administrator.

[F. R. Doc. 43-4930; Filed, March 30, 1943;  
5:04 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-72 and 59-66]

STANDARD GAS AND ELECTRIC COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

Correction

Footnote 3 appearing on page 3801 of the issue for Saturday, March 27, 1943 should read as follows:

\* As of December 31, 1941, Standard Power and Light Corporation also owned the following other securities of Standard and its subsidiaries:

	Amount or No. of shares owned
Standard Gas and Electric Company, 20-year, 6% Gold Notes, due 1948.....	\$328,000
Standard Gas and Electric Company, 6% Convertible Gold Notes, due 1948.....	216,000
Standard Gas and Electric Company, 6% Gold Debentures, Series A, due 1951.....	146,000
Standard Gas and Electric Company, 6% Debentures, due 1957.....	6,000
Standard Gas and Electric Company, 6% Gold Debentures, Series B, due 1956.....	98,000
Standard Power and Light Corporation, 6% Gold Debentures, due 1957.....	179,000
Standard Gas and Electric Company, Prior Preference Stock, \$7 Cum.....	40,751.30 shs.
Louisville Gas & Elec. Co., Common Class B Stock.....	1,980 shs.
Mountain States Power Co. Common Stock.....	1,267.65 shs.
Philadelphia Company, Common Stock.....	9,750 shs.
Southern Colorado Power Company, Common Class A Stock.....	23,570 shs.

[File No. 70-687]

THE RAILWAY AND BUS ASSOCIATES

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1943.

Sale of securities by registered holding company or subsidiary; sale to associate companies or affiliates; Declaration concerning sale of securities to issuing affiliate at substantially the current market price permitted to become effective, the Commission observing no basis for adverse findings. Appearances: David I. Bursten, for the Public Utilities Division of the Commission; Carlos L. Israels, for The Railway and Bus Associates.

The Railway and Bus Associates, an indirect subsidiary of Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, a registered holding company, has filed a declaration concerning a proposed sale by the declarant to Syracuse Transit Corporation (hereafter referred to as "Syracuse"), an affiliate, of \$211,300 principal amount of Syracuse Transit Corporation Thirty-Year Non-cumulative Income Notes, due September 1, 1969. The securities are to be sold at 80, the total consideration amounting to \$169,040.

After appropriate notice, a public hearing was held. No member of the public has objected to the proposal.

The acquiring company is also an indirect subsidiary of the Trustees of Associated Gas and Electric Corporation, by reason of the declarant's ownership of 7,845 shares of common stock, which comprises 12.76% of the voting securities of Syracuse.<sup>1</sup> However, an application under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that the company is not a subsidiary is presently pending before this Commission. Under the provisions of section 2 (a) (8), the filing of such an application in good faith exempts the applicant from any obligation, duty or liability imposed by the Act upon the applicant as a subsidiary until the Commission has acted upon such application.

The net income of Syracuse for the year ended December 31, 1942, amounted to \$249,703, which represents a substantial increase over the net incomes for the preceding years. Net income amounted to \$153,829 for 1941 and \$19,580 for 1940. This large increase may, however, be ascribed to the abnormal conditions created by the war.

The securities being sold are not listed on any securities exchange but are actively traded over-the-counter. The proposed sale is at approximately the present market price, as judged from the over-the-counter sales at the time of the agreement, as well as since that date.

Section 12 (f) of the Act and Rule U-43 promulgated thereunder are applicable to the transaction. In the light of the standards and requirements of section 12 (f) and Rule U-43, we have examined the conditions of the proposed sale, including the consideration to be

<sup>1</sup> An order of this Commission dated August 13, 1942 (Denis J. Driscoll and Willard L. Thorp, as Trustees, Holding Company Act Release No. 3729), directed the Trustees of Associated Gas and Electric Corporation to divest themselves of all direct and indirect interest in Syracuse (among others).



received, accounts, costs, disclosures of interest, maintenance of competitive conditions, and similar matters; and we observe no basis for adverse findings.

*It is therefore ordered*, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-4961; Filed, March 31, 1943;  
2:56 p. m.]

[File No. 70-566]

WEST TEXAS UTILITIES CO. AND THE  
MIDDLE WEST CORP.

#### ORDER EXTENDING TIME FOR PURCHASE OF SECURITIES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of March, A.D. 1943.

On January 25, 1943, this Commission, after a public hearing, issued its order with respect to a combined application and declaration, as amended, filed by West Texas Utilities Company and The Middle West Corporation regarding a proposed offer by West Texas Utilities Company to purchase all the outstanding securities of Pecos Valley Power & Light Company. Said application was granted and said declaration was permitted to become effective subject to certain conditions.

The purchase offer became effective January 30, 1943 for a thirty-day period and, at the option of the company, was subsequently extended to and including March 30, 1943. It is represented that at the close of business on March 27, 1943, 92.40% of the outstanding First Mortgage Bonds, 91.03% of the outstanding Income Debentures and 89.94% of the outstanding Common Stock of Pecos Valley Power & Light Company had been deposited pursuant to the terms of said offer.

The offer as made by the applicant provided that West Texas Utilities Company had the right at its option to purchase all securities offered if at least 90% of the principal amount of the bonds, 90% of the principal amount of the debentures and 80% of the shares of common stock of Pecos Valley Power & Light Company were deposited pursuant to such offer. Such percentages having been deposited, West Texas Utilities Company has elected to purchase all the securities deposited.

West Texas Utilities Company has filed its supplemental application requesting an extension of the period within which it may purchase the securities in question to June 30, 1943. The company represents that due to illness, absence in the military service and for other reasons, several holders of the securities of Pecos Valley Power & Light Company are unable to accept the offer

and to deposit their securities prior to the expiration date of the offer, and that holders of substantial amounts of the bonds and debentures will deposit their securities pursuant to said offer if the same be extended for a reasonable period.

It appearing appropriate to the Commission that such request be granted for the period from March 30, 1943 to June 30, 1943;

*It is ordered*, That the period within which West Texas Utilities Company may purchase the outstanding securities of Pecos Valley Power & Light Company be and the same is hereby extended to and including June 30, 1943, subject to the same conditions imposed by our order of January 25, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-4963; Filed, March 31, 1943;  
2:56 p. m.]

[File No. 70-10]

#### INTERNATIONAL UTILITIES CORPORATION ORDER PERMITTING WITHDRAWAL OF APPLI- CATION AND DECLARATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of March, A.D. 1943.

International Utilities Corporation, a registered holding company under the Public Utility Holding Company Act of 1935, having filed on March 14, 1940, an application and a declaration under sections 7 and 11 (g) of said Act seeking this Commission's approval of a plan of reorganization and the solicitation of proxies in connection therewith; and

International Utilities Corporation having requested leave of the Commission to withdraw its application and declaration; and

It appearing to the Commission that the withdrawal thereof would not be detrimental to the public interest or the interests of investors or consumers;

*It is ordered*, That the request of International Utilities Corporation to withdraw said application and declaration be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-4962; Filed, March 31, 1943;  
2:56 p. m.]

[File No. 70-692]

#### ROCHESTER TRANSIT CORPORATION NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 31st day of March 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Rochester Transit Corporation, an indirect subsidiary of Denis J.

Driscoll and Willard L. Thorp, Trustees of the Estate of Associated Gas and Electric Corporation, a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Rochester Transit Corporation proposes to expend up to the sum of \$200,000 for the purpose of acquiring its Twenty-year Secured 4½% Income Notes, Series A, due September 1, 1958, which acquisition will be accomplished by notice to the holders of said securities to tender them for sale to Rochester Transit Corporation at the office of The Marine Midland Trust Company, as its agent, at 120 Broadway, New York, New York.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter, and that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission;

*It is ordered*, That a hearing on said matter under the applicable provisions of said Act and rules of the Commission thereunder be held on April 13, 1943, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such application or declaration (or both) shall become effective or be granted. Notice is hereby given of said hearing to the above named declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of the Commission on or before April 8, 1943, an appropriate request or application to be heard as provided by Rule XVII of the Commission's Rules of Practice.

*It is further ordered*, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered*, That, without limiting the scope of issues presented by said application or declaration (or both) otherwise to be considered in this proceeding, particular attention will be directed in this hearing to the following matters and questions:

1. Whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations or orders promulgated thereunder.

2. Whether terms and conditions are necessary to be imposed to insure compliance with the provisions of said Act



or rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5006; Filed, April 1, 1943;  
9:42 a. m.]

[File No. 70-680]

PANHANDLE EASTERN PIPE LINE CO., ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of March 1943.

In the matter of Panhandle Eastern Pipe Line Company, Illinois Natural Gas Company, and Michigan Gas Transmission Corporation.

Panhandle Eastern Pipe Line Company and its two wholly-owned subsidiaries, Illinois Natural Gas Company and Michigan Gas Transmission Corporation, all non-utility companies, having filed a joint declaration and application and amendments thereto under sections 9, 10, 12(b) and 12(c) and Rules U-42 and U-45 of the Public Utility Holding Company Act of 1935 for approval of the merger of the three companies upon the following basis: (a) Panhandle Eastern Pipe Line Company to acquire all the assets and assume the liabilities of Illinois Natural Gas Company and Michigan Gas Transmission Corporation; (b) Panhandle Eastern Pipe Line Company to surrender to Illinois Natural Gas Company and Michigan Gas Transmission Corporation for cancellation and retirement, all of their respective stock and Michigan's indebtedness; (c) Illinois Natural Gas Company and Michigan Gas Transmission Corporation thereupon to dissolve; and

Public hearings having been held after appropriate notice and the Commission having examined the record and made and filed its findings and opinion herein;

*It is ordered*, That said applications and declarations, as amended, be and they hereby are granted and permitted to become effective, subject, however, to compliance with the terms and conditions prescribed by Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5007; Filed, April 1, 1943;  
9:42 a. m.]

[File Nos. 54-64; 59-60]

INDIANA HYDRO-ELECTRIC POWER CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March 1943.

In the matter of Indiana Hydro-Electric Power Company, File No. 54-64; Indiana Hydro-Electric Power Company, Hugh M. Morris, Trustee of the Estate of Midland United Company, File No. 59-60.

Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan of recapitalization of said Indiana Hydro-Electric Power Company; and the Commission having issued, on December 23, 1942, an order for hearing on such plan, and an order instituting proceedings and for hearing under sections 11 (b) (2), 15 (f), and 20 (a) with respect to Indiana Hydro-Electric Power Company and Hugh M. Morris, Trustee of the Estate of Midland United Company; and said order having consolidated the matters for hearing, and the Commission by further order, dated February 6, 1943, having designated April 5, 1943, as the date for public hearing in the consolidated matters embraced by the said order of December 23, 1942; and

Hugh M. Morris, Trustee of the Estate of Midland United Company, having requested that the hearing in this matter be postponed for a period of thirty days;

and the Commission having considered said request and deeming it appropriate that said request be granted and that the hearing be postponed to May 10, 1943;

*It is ordered*, That the hearing in this matter previously scheduled for April 5, 1943, be and hereby is postponed to May 10, 1943, at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5008; Filed, April 1, 1943;  
9:42 a. m.]

## WAR PRODUCTION BOARD.

### NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued March 31, 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

### SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-h.....	38534	South Texas Peacock Military Academy, San Antonio, Tex.	San Antonio, Texas.....	3/18/43
P-19-e.....	13993-e	Texas State Highway Dept., Austin Tex.	SN-FAP 215(3), SN-FAP 215-B-(2).	3/18/43
P-19-e.....	18533-e	Connecticut State Hwy. Dept., Hartford Conn.	Groton, Conn., SN-FAP 133-C(1).	3/15/43
P-19-h.....	44809	F. W. A., Washington, D. C.	Harrison Co., Gulfport, Miss. (WPW 22-179).	3/17/43
P-19-e.....	20617-e	Connecticut St. Hwy. Dept., Hartford Conn.	Groton, Conn., SN-FAP 72-B(1).	3/15/43
P-19-e.....	19596-e	Connecticut St. Hwy. Dept., Hartford Conn.	Groton, Conn., SN-FAP 72-C(1).	3/15/43

[F. R. Doc. 43-4952; Filed, March 31, 1943; 11:23 a. m.]



